

THE

KANSAS STRUGGLE, OF 1856,

IN CONGRESS,

AND IN THE

PRESIDENTIAL CAMPAIGN;

WITH

by W. Goodell.

SUGGESTIONS FOR THE FUTURE.

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REVIEW.

IN order to a full and distinct understanding of the struggle of 1856, in Congress, and during the Presidential campaign, concerning Freedom or Slavery in Kansas; it will be necessary to bear in mind the previous controversy concerning the extension or non-extension of Slavery, the passage of the Kansas-Nebraska bill, and the attempted settlement of Kansas by the antagonistic elements of Free-State men from the North, and Slavery extensionists from the South. Presuming the reader to be already in possession of the leading facts, up to the early part of the year 1856, we proceed to a Review of that struggle. Our object will be to exhibit clearly the position of the two contending parties, the "Democratic" and the "Republican"—with the causes which occasioned the defeat of the latter, and the triumph of the friends of Slavery extension.

CONDITION OF KANSAS, ETC.

The scenes witnessed in Kansas and at the seat of Government have been most appalling. Bloody violence has been stalking forth under the abused names of "law and order." The Slave Power, with the connivance and by the official aid of the Federal Executive, has been carrying the "peculiar institution" by fire and sword, and massacre, into the free Territory of Kansas. The particulars are too voluminous for convenient record in our Review, but the country and the world are already in possession of them. For the most part, they are embraced in the Official Report of a Committee appointed by the House of Representatives of the United States, presented to that body, and published under its authority. Since the date of that Report, there has been no essential improvement in the action of the Federal Executive, nor in the aspect of affairs in Kansas. For a time it was hoped, by some, that the appointment of Gov. Geary in the place of Gov. Shannon might prove to be the introduction of a wiser policy, and result in a bet-

ter condition of the Territory. But these hopes have been disappointed. Not only has there been a renewal of violent outrages on the part of the Missouri invaders, without any adequate protection of the citizens by the Federal Governor, but he has himself, driven back peaceful emigrants from the Free States, and has proceeded to arrest as criminals, more than an hundred peaceful citizens for no crime but that of preparing to defend their property, their families, and their fire-sides from banditti of barbarous invaders from the Slave States. Under his auspices another bogus election has been held, in which the voters were chiefly non-residents, citizens of Missouri, who only came in to vote and to return, while no resident citizen was allowed to vote except on condition of taking an oath to sustain the Slave Code imposed upon the Territory, against the known wishes of a large majority of the residents, by armed hordes of Missourians, who by force and with slaughter had prevented the Free-State settlers from voting. In this way the Territory is in process of being transformed into a Slave State, against the wishes of a majority of *bonâ-fide* settlers.

PROCEEDINGS IN CONGRESS.

In Congress, there has been no successful stand taken against the usurpations of the Executive. A decided majority of the Senate is in full sympathy with the Executive, and acts as the tool of the Slave Power. In the House of Representatives the opposition, after a long and severe struggle, elected their Speaker, Mr. N. P. Banks. They likewise appointed an Investigating Committee to visit Kansas, as before mentioned. The House also passed a bill for admitting Kansas under its Free-State Constitution, adopted at Topeka, but it failed of passing the Senate. Beyond this, little or nothing of a positive character has been effected. For a time, it was hoped that the House would steadfastly adhere to their declared determination not to pass the Army Appropriation bill, except on condition that the Federal troops should not be employed in enforcing the enactments of the Missouri Ruffian Legislature, including the Slave Code. The regular adjournment of both Houses took place without the passage of the bill. But an extra session was called by the President, for the express purpose; when, after a few days, a number of the opposition members gave way, by voluntary absence, and suffered the bill to pass. Various statements are made in respect to the motives which led to this course. The Washington correspondent of the *New-York Herald*, a leading Fremont journal, (Aug. 31,) lays the blame to the Republicans themselves. He says:

"Letters had been received from Greeley and others, begging the Republicans to change their tactics, as their course was ruining them at home. In one letter Greeley says: 'For God's sake let the bill pass.' And assurances were given to Democrats that the bill should pass, if they would play their cards right. 'When the result was announced, a general congratulation prevailed over the House, the Republicans, if possible, showing the greatest joy.' 'The Republicans could, if they had chosen, have killed the bill. Messrs. Walsh of Connecticut, Milward of Pennsylvania, Miller of New-York, with Speaker Banks, would have defeated it, but they were evidently anxious it should pass.'"

The *N. Y. Tribune* replies in general terms, that "the statement is not according to truth;" but says nothing specifically of the absentees named, nor of the letter. It adds, however, the following apology:

"It was the *fault* of the Buchanan and Fillmore men, who went off, prematurely, that this result was not attained, days ago." . . . "We are content with the issue as made by the Senate, and, *since the passage of the House proviso was impossible*, we were and are ready to go at once to the people. Hence we were willing to see the Appropriation Bill carried over the heads of the Republicans, and the session brought to a close." "The Republicans, being a minority of the House, could not prevent the ultimate passage of the bill without the proviso."

The fault charged by the *Herald*, it will be noticed, was, that the Republicans suffered the bill to pass. The reply is, that it was "the fault of the Buchanan and Fillmore men" that it was not *passed sooner!* To understand this, it must be added that the Administration presses had raised a loud clamor against the Republicans for not suffering the bill to pass. This they represented as being disorganizing and revolutionary. The tone of the Republican presses, for several days previous to the passage of the bill, had betrayed fears concerning the political effects of this clamor.

Such are the facts, so far as ascertained, in respect to this unexpected and calamitous event, the unrestricted passage of the Army bill, by the House, which, according to present appearances, is very likely to result in the permanent subjugation and enslavement of Kansas.

Another specimen of the lame and vacillating tactics of the opposition in the House of Representatives, is seen in their passing (by a large majority, including, with exception of about six members, the entire "Republican" force in that House) of the so called "Kansas Pacification bill," which was brought forward by Mr. Dunn, a partisan of Mr. Fillmore.

The following abstract of the bill is from the *N. Y. Tribune*:

"Mr Dunn's bill proposed

"1. To wipe out the Border Ruffian legislation in Kansas by which the term of the bogus 'Council' was protracted til Jan. 1, 1858;

"2. To dismiss and restore to private life all the officers and appointees of the bogus Legislature, so soon as a new Legislature should be ready to fill their places;

"3. To set free the Free-State prisoners;

"4. To annul the most obnoxious of the Border Ruffian laws;

"5. To secure homesteads in Kansas to actual settlers, whether native-born or not;

"6. To prohibit the entrance of another slave into Kansas;

"— but as the Official Census shows that there were 192 slaves in Kansas a year and more ago, Mr. Dunn's bill continues—

"*Provided, however,* That any person lawfully held to serve in either of said Territories shall not be discharged from such service by reason of such repeal and revival of said eighth section, if such persons shall be permanently removed from such Territory or Territories prior to the 1st day of January, 1858: and any child or children born in either of said Territories, of any female lawfully held to service, if in like manner removed without said Territories before the expiration of that date, shall not be, by reason of any thing in this act, emancipated from any service it might have owed had this act never been passed: *And provided further,* That any person lawfully held to service in any other State or Territory of the United States, and escaping into either the Territory of Kansas or Nebraska, may be reclaimed and removed to the person or place where such service is due, under any law of the United States which shall be in force upon the subject."

This bill failed of becoming a law, only because it was rejected by the pro-slavery Senate.

The last Session of Congress was disgraced by the ferocious and cowardly assault of Preston S. Brooks, Member of the House from South-Carolina, upon Hon. Charles Sumner, Senator of Massachusetts, in the Chamber of the Senate. Under all the circumstances of the case, it stands, perhaps, without a parallel. Its avowed object was the suppression of freedom of debate, on the Slave question, with threats of similar inflictions on others. A circle of pro-Slavery members, as if acting by previous concert, stood sentinels to prevent assistance to the defenseless victim, who was taken at unawares, and in a position that prevented self-defense. By award of the City Judiciary, the price of perpetrating such enormities was put down at the petty sum of \$300.—In the House, a majority voted for his expulsion, but, failing to reach the constitutional condition of a two-thirds vote, it was of no legal effect. But Mr. Brooks resigned, for the avowed purpose of appealing to his constituents, who reflected him by acclamation, and loaded him with commendations and honors, such as they had to bestow.

CONDITION OF SOCIETY AT WASHINGTON CITY.

The brutal murder of Keating, an Irish waiter in a hotel in Washington City, by Philip T. Herbert, member of Congress, of California, the legal impunity that sanctioned the deed, the gratula-

tions of Southern members of Congress, and the editorial promulgation of the sentiment that *white* waiters as well as *colored* ones, must take the chance of being murdered by gentlemen, at their caprice or pleasure, are among the minor incidents of the past year, marking the rapid and successful strides of Slavery towards the undisputed dominion of the entire country.

PROPOSED ENSLAVEMENT OF THE WHITES.

Along with this has been witnessed the promulgation of the sentiment that Slavery is not for the *African* race only, but that the laboring *whites* are to come in for a share of the blessings of that "Christianizing" institution. Gov. McDuffie, Prof. Dew, Mr. Pickens, Mr. Leigh, Mr. Hammond, John C. Calhoun, and other Southern gentlemen of distinction, many years ago had given utterance to the sentiment, and sometimes, as in the case of Gov. McDuffie (in 1836) coupled with the prediction that within twenty-five years, the laboring population of the North would begin to come under the same yoke with the negroes. During the current year, it has been apparent that the attempt is about to be made in good earnest. If the scenes of Kansas and of Washington City are much longer to be tolerated, it may be concluded that the subjugation has already begun.

Accordingly, the tone of the pro-Slavery presses, including at least one at the North, are boldly advocating the measure. And no marvel. The "Biblical" defenses of Slavery, Northern and Southern, make no distinction of color, if we except the argument drawn from the "curse of Ham" and the assumption that Ham was a negro. The Slavery of the Greeks and Romans, alleged to have been sanctioned by the New Testament writers, was certainly the Slavery of whites. It may be well to record here, a few of the legitimate results of such clerical teachings, and to notice the simultaneous propagation of these sentiments, with the proceedings at the seat of Government and in Kansas. The one may be regarded as an appropriate and significant comment upon the other.

The *Richmond Examiner*, one of the leading Democratic papers in Virginia, ardently supporting Mr. Buchanan, holds the following language in a late issue:

"Until recently, the defense of Slavery has labored under great difficulties because its apologists (for they were mere apologists) took half-way grounds. They confined the defense of Slavery to mere *negro* Slavery; thereby giving up the Slavery principle, admitting *other* forms of Slavery to be *wrong*.

"The line of defense, however, is now changed. The South now maintains that *Slavery* is right, *natural and necessary*, and does not depend on difference of COMPLEXION. The laws of the Slave States justify the holding of WHITE MEN in bondage."

Another *Buchanan* paper, the leading one in South-Carolina, says:

"Slavery is the natural and normal condition of the *laboring man*, whether WHITE or black. The great evil of Northern *free* society is, that it is burdened with a *servile* class of MECHANICS and LABORERS, *unfit for self-government*, yet clothed with the attributes and powers of citizens. Master and slave is a relation in society as necessary as that of parent and child; and the Northern States will yet have to introduce it. Their theory of free government is a delusion."

The Richmond (Va.) *Enquirer*, Mr. Buchanan's confidential organ, and considered by the "Democratic" party as its ablest paper in the South, speaks as follows in a recent number:

"Repeatedly have we asked the North 'Has not the experiment of Universal liberty FAILED? Are not the evils of FREE SOCIETY INSUFFERABLE? And do not most thinking men among you propose to *subvert* and reconstruct it?' Still no answer. This gloomy silence is another conclusive proof added to many other conclusive evidences we have furnished, that *free society* in the long run, is an impracticable form of society; it is everywhere starving, *demoralizing*, and *insurrectionary*."

"We repeat, then, that policy and humanity alike forbid the existence of the evils of *free society* to new people and coming generations."

"Two opposite and conflicting forms of society can not, among civilized men coëxist and endure. The one must give way and cease to exist, the other become universal."

"If *free society* be unnatural, immoral, unchristian, it must fall, and give way to a *slave society*—a social system old as the world, universal as man."

And the Muscogee (Ala.) *Herald*, says:

"Free society! we sicken at the name. What is it but a conglomeration of GREASY MECHANICS, FILTHY OPERATIVES, SMALL-FISTED FARMERS, and moonstruck THEORISTS? All the Northern, and especially the New-England States, are devoid of society fitted for well-bred gentlemen. The prevailing class one meets with is that of mechanics struggling to be genteel, and small farmers who do their own drudgery; and yet who are hardly fit for association with a Southern gentleman's body servant. This is your free society which the Northern hordes are endeavoring to extend into Kansas."

And the *South Side Democrat*, another prominent Buchanan paper, in Virginia, whose editor was supported for Clerk of the House of Representatives by the Democratic members of the present Congress—abuses every thing FREE after this style:

"We have got to hating every thing with the prefix FREE, from free negroes down and up through the whole catalogue—FREE farms, FREE labor, FREE society, FREE will, FREE thinking, FREE children and FREE schools, all be-

longing to the same brood of *damnable isms*. But the worst of all these abominations is the modern system of **FREE SCHOOLS**. The New-England system of free schools has been the cause and prolific source of the infidelities and treason that have turned her cities into Sodoms and Gomorrah, and her land into the common nestling-places of howling Bedlamites. *We abominate the system because SCHOOLS ARE FREE.*"

The Washington *Union*, the national organ of the "Democratic" party, says that the honest and heroic **FREE LABORING MEN** of Kansas,

"Are a **MISERABLE, BLEAR-EYED RABBLE**, who have been transferred like so **MANY CATTLE** to that country."

The New-York *Day Book*, one of the two papers in New-York City that supported James Buchanan, proposes to enslave *poor AMERICANS, GERMANS, and IRISH*, who may fall into poverty and be unable to support their families. Here are the *Day Book's* exact words, in speaking of the **POOR WHITE PEOPLE**:

"Sell the parents of these children into **SLAVERY**. Let our Legislature pass a law that whoever will take these parents and take care of them and their **OFF-SPRING**, in sickness and in health—*clothe them, feed them, and house them—shall be legally entitled to their service*; and let the same Legislature decree that whoever receives these parents and their **CHILDREN**, and obtains their services, shall take care of them **AS LONG AS THEY LIVE**."

S. W. Downs, late Democratic Senator from Louisiana, in an elaborate and carefully prepared speech, published in the Washington *Globe*, says:

"I call upon the opponents of Slavery to prove that the **WHITE LABORERS** of the North are as happy, as contented, or as comfortable as the slaves of the South. In the South the slaves do not suffer one tenth of the evils endured by the white laborers of the North. Poverty is unknown to the Southern slave, for as soon as the master of slaves becomes too poor to provide for them, he **SELLS** them to others who can take care of them. This, sir, is one of the excellencies of the system of Slavery, and this the superior condition of the Southern slave over the Northern **WHITE LABORER**."

Senator Clemens, of Alabama, declared, in a speech in the U. S. Senate, that "the operatives of New-England were not as well situated, nor as comfortably off as the slaves that cultivate the rice and cotton fields of the South."

In a recent speech by Mr. Reynolds, candidate for Congress from Missouri, that gentleman distinctly asserted that—

"The same construction of the power of Congress to exclude Slavery from a United States Territory, would justify the Government in excluding foreign-born citizens—**GERMANS AND IRISH AS WELL AS NIGGERS**."

Here a Missouri Democrat classes GERMAN and IRISH indiscriminately with NEGRO SLAVES.

Mr. L. H. Goode, another Atchison Democrat of Missouri, in a recent speech against the Free State men of Kansas, denounced the LABORING men as "WHITE SLAVES."

SENATOR BUTLER, (the uncle of Preston S. Brooks,) declared in a speech in the U. S. Senate this session :

"That men have no right to VOTE unless they are possessed of property as required by the Constitution of South-Carolina. There no man can vote unless he owns *ten negroes*, or real estate to the *value of ten thousand dollars*."

In reference to the murder of Keating, the Irish waiter, at Willard's Hotel, Washington City, by Hon. Philip T. Herbert, the *Charleston Standard* said :

"If WHITE MEN accept the office of menials, it should be expected that they will do so with an apprehension of their relation to society, and the disposition quietly to encounter both the responsibilities and liabilities which the relation imposes."

The *Alabama Mail*, in commenting on the same, says :

"It is getting time that waiters at the North were convinced that they are servants, and not 'gentlemen' in disguise. We hope this Herbert affair will teach them prudence."

It is in the light of these sentiments, we apprehend, that the present and prospective politics of the nation are to be studied. The longer continuance of Slavery must, almost of necessity, involve the enslavement of the whites. The line of demarkation between the white and colored races is every year becoming fainter and fainter. The proportion of *white* slaves, described, advertised, bought and sold as such, is constantly and rapidly on the increase. The relative position of the whites and of the colored people, among the poorer classes, has, from this cause, undergone a marked change since the commencement of the anti-slavery agitation, twenty-three or four years ago. Predictions then regarded as extravagant are already in process of fulfillment. Unless there should be a brisk renewal of fresh importations from Africa, it is evident that color will not much longer remain the criterion of liability to enslavement. There is danger that, with the poorer classes of whites, the reopening of the African slave-trade will come to be looked upon with favor, as affording them some temporary protection. Enactments for the rendition of fugitive slaves, by the facilities they afford to kidnapping, can scarcely fail to involve the enslavement of many who have no African blood in their

veins. Already, though a *dark color* is held to be presumptive evidence of a state of Slavery, it can not be said that a *white skin* is regarded as a presumptive evidence of a condition of freedom. Whites are already held as slaves. And Judge McLean, in his decision in the case of *Querry*, laid down the rule that even in the absence of statutes establishing Slavery, the continuance of the practice makes it legal, provided it be maintained for an hundred years.

Let it be borne in mind that neither the Declaration of Independence, nor the Federal Constitution, nor the State Constitutions, at the period when the Federal Constitution was formed, made any distinction of race or color. It is thence easy to see that the claimants of legalized and constitutional slaveholding, in this country, can afford to make no such distinction. And it is equally plain that the laboring whites have a deep and vital interest in all questions concerning the legal tenure and Constitutional recognitions of Slavery, whether in the Territories or in the States.

There can be no reasonable doubt that the novel and extraordinary efforts for carrying Slavery into the higher northern latitudes, is based in no small measure upon this long foregone conclusion, that the poorer class of whites, both at the North and at the South, are to become slaves. The Kansas-Nebraska bill, removing the obsolete geographical distinction; the ruffian raid upon Kansas; the pre-concerted and joyously celebrated violation of free speech in the Federal District, and in the Senate Chamber, are all parts of the same enterprise. To be understood correctly, they must be understood in their natural connection with each other. We turn to another branch of the subject.

PRO-SLAVERY THEORIES OF THE GOVERNMENT.

The theory of our State and National Governments under which these lawless aggressions find shelter, deserves the most careful attention. It is well known that the Slavery propagandists of the South, with their Northern allies, are, professedly, the champions of what they denominate "*State Rights*." Under this plausible term they include and claim the right of the States to maintain and protect Slavery, a system in which *one* citizen is held as a chattel personal by *another*. This claim assumes the possibility of human chattelhood, and likewise the legality of the tenure under which slaves in this country are actually held. With this is also connected, by them, the doctrine that the Constitution of the

United States recognizes Slavery as a legitimate institution in the States wherein it exists, and regards slave property as entitled to the same Federal protection that is afforded to other descriptions of property. This is the theory that has been held by the slaveholders and their Northern supporters, from the beginning of the present agitation of the Slavery question.

But the debate on the Nebraska bill developed an improved phase of the doctrine. The determination to carry Slavery into free territory, that had, by the Missouri Compromise, been conceded to freedom, demanded an extension of the old theory. Instead of claiming that the Constitution protects Slavery where it exists by positive law, (statutory enactment,) it became necessary to claim that it protects slave property wherever the owner pleases to carry it. And, inasmuch as the opening of Kansas and Nebraska to the entrance of slaveholders with their slaves, required the protection of the Federal Government, prior to the establishment of a State Government that could protect Slavery, it became necessary to affirm Mr. Calhoun's doctrine, that Slavery exists by natural right, or by usage, *without* positive law. There was another necessity for this change. Abolitionists had discovered and had published the fact that there are no positive laws or statutes establishing Slavery in any one of the States. The testimonies of Mr. Calhoun, and of the Southern judges, Matthews and Porter, had been adduced to this point. Senator Mason, of Virginia, had been led to affirm the fact, as a reason why no jury trial should be allowed to fugitive slaves.

Besides all this, the contests concerning the Wilmot proviso, and the demand of abolitionists and free-soilers that "no more Slave States" should come into the Union, as well as the Southern determination to extend Slavery north of 36° 30', made it necessary to find some new basis on which to found the right of the slaveholders, *everywhere*, to the protection of whatever species of "property" they might carry along with them.

The suit of Virginia *versus* New-York, seeking the reversal of Judge Paine's decision, which had liberated the slaves brought into New-York by their claimant, Mr. Lemmon; the decision of Judge Kane in respect to Passmore Williamson, who had simply informed the slaves brought into Pennsylvania by Mr. Wheeler, of their right to freedom—these are among the evidences of a determination to establish, by the Federal authorities, the right of slave masters to hold slaves wherever they please to carry them.

The action of the Federal Executive in respect to Kansas, during the past year, has been evidently based on the same principle,

and has been directly aimed to give it practical effect. It is deeply interesting, therefore, to learn the precise grounds on which the present phase of constitutional exposition stands.

"STATE EQUALITY."

The new item, (if, in reality, there be any,) in addition to the change of human property tenure, from positive municipal statute to natural or common law, will be found to consist in the idea represented by the phrases—"State Equality," or "*Equality of the States.*" The import of the phrase, and the uses to which it is to be applied, may be gathered from the following extracts.

At a Pennsylvania State Convention for nominating Mr. Buchanan it was

"Resolved, That the Equality of the States is the vital element of the Constitution itself, and that the interference with the rights of the States by those who seek to disregard the sacred guarantees of the past, and by all others, should be rebuked with the same spirit that we would denounce and repudiate all attempts to erect odious distinctions between those who are entitled to share the blessings and benefits of our free institutions."

The allusions, here, to "interference," "guarantees," and "odious distinctions," sufficiently indicate the reference of the Resolution to Slavery, and show that the "rebuke" was levelled against all who would interfere with it, *anywhere*—in any State or Territory. The "State Right" of maintaining slavery, so commonly conceded to the *Old* Slave States, is here claimed for the *New* States, and for the Territories out of which such States are to be formed. This view of it will be confirmed by the following:

"THE CINCINNATI CONVENTION.—An entirely new issue will be presented in the approaching Presidential canvass—an issue which it is impossible to avoid or evade. The Opposition is essentially an Abolition party. It proposes to repeal the Kansas-Nebraska act and the Fugitive Slave Law. *It thereby denies State Equality.* The Democracy oppose the repeal of those laws, and seem thereby to *maintain State Equality.* But all room for doubt or cavil must be removed. We must, in the Cincinnati Platform, repudiate Squatter Sovereignty, and expressly assert State Equality. We must declare that it is the *duty of the General Government* to see that no invidious or injurious distinctions are made between the people or the property of different sections, in the Territories. We do not mean to dictate. It may be, that the assertion in the Platform of the abstract proposition of State Equality may suffice to carry along with it the consequences which we desire. But it is often charged, that the Kansas-Nebraska bill *contains the doctrine of Squatter Sovereignty*, and that Squatter Sovereignty is the most efficient agent of Free-Soilism. Some Northern Democrats have maintained this ground. Now, this gun must be spiked. It must appear, from our Platform, that we maintain practical

State Equality, and repudiate that construction of the Kansas-Nebraska act which would defeat it. The South only demands equality of rights."—*Richmond Enquirer*, April 28, 1856.

The meaning is obvious. Those who had previously opposed the admission of *new* Slave States had conceded the Constitutional right of the *original* States to maintain slavery, but had urged the Constitutional right of restriction upon *new* States, making it a condition that they should come in as free States. In the debates on the Nebraska bill, the Slavery propagandists had carried the vote over their opponents, by affirming the Constitutional *equality* of the States, and that, whenever a State was admitted at all, it was to be admitted *on a footing of perfect equality with the others*. On this ground the Missouri Compromise was held to be unconstitutional, and the same principle would repudiate the Jeffersonian Ordinance of 1787. The "Squatter Sovereignty" doctrine, however, had been affirmed, according to which the inhabitants of the Territory might either establish slavery, or exclude it, as they pleased. But this doctrine was now to be set aside, lest the free-State men should preponderate. The *Federal Government* was to be charged with the "duty" of protecting the "*property*" of slaveholders in the Territory—their "*property*" in *slaves*.

CINCINNATI PLATFORM.

The Cincinnati Convention was soon after held. It was a National Convention of the Democratic Party, and nominated Mr. Buchanan for President. The Resolutions adopted as a Platform, by this Convention, declare that the Constitution is to be "strictly construed"—that it confers no powers for carrying on internal improvements, to assume State debts, to foster particular branches of industry, to distribute public funds among the States, or to charter a national Bank. It approves the "qualified Presidential veto," lauds the Declaration of Independence, "*which makes ours the land of liberty, and the asylum of the oppressed of every nation,*" (not meaning to include the negro,)—denounces the "Alien and Sedition laws," (except those enforced in Kansas,) and all attempts to proscribe and disfranchise men on account of their *religion* or "*accidental place of birth,*" [forgetting to add "*or complexion*"!] It then proceeds:

"Resolved, That we reiterate, with renewed energy of purpose, the well-considered declarations of former Conventions upon the sectional issue of domestic slavery, and concerning the reserved rights of the States:

"1. That Congress has no power, under the Constitution, to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of every thing appertaining to their own affairs not prohibited by the Constitution; that all efforts of the Abolitionists or others, made to interfere with questions of slavery, or to take incipient steps in violation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions."

The succeeding resolutions contain a pledge to abide by the compromise measures of 1850, including particularly "the act for reclaiming fugitives from service and labor"—and "to resist all attempts to renew anti-slavery agitation." It reaffirms the Kentucky and Virginia Resolutions of 1798, and Mr. Madison's Virginia Report of 1799—(embracing the Southern doctrine of "State Rights.")

To this summary of the former testimonies of the party, the Convention adds others, "to meet more distinctly, the issue of a sectional party, subsisting on anti-slavery agitation," etc., namely:

The Convention "recognize and adopt the principles" of the Kansas-Nebraska bill—"non-interference by Congress with slavery in State and Territory, or in the District of Columbia," declaring this to be "the basis of the Compromise measures of 1850, confirmed both by the Democratic and Whig parties, in the election of 1852." It recognizes the right of the people of the Territory "to form a Constitution with or without domestic slavery, and be admitted into the Union, UPON TERMS OF PERFECT EQUALITY WITH THE OTHER STATES."

The remaining Resolutions magnify the sacredness of "State rights"—the importance of "resisting all monopolies and exclusive legislation, for the benefit of the few at the expense of the many"—and upholding "the compromises of the Constitution." They also indorse "the Monroe doctrine," anticipate free communication between the Atlantic and Pacific, recommend "every proper effort to insure our ascendancy in the Gulf of Mexico," [a hint concerning Cuba,] and wind up with expressions of "sympathy" for the [filibustering?] efforts "which are being made by the people of Central America."

This platform, it will be seen, was very skillfully contrived. Many of its elements were well calculated to be popular, and especially to please and satisfy the old adherents of the party. The seeming fairness of allowing the people of the Territory to determine their own institutions, was quite attractive to those who had

never thought of taking the negro into the account of human beings, and who had forgotten that majorities can not take away inalienable rights. *By no party not planted upon these forgotten truths was such a platform to be properly dissected and exposed.*

The plausibility of the "Democratic" plea, and the secret of its popularity and its power, even in Northern communities, may be seen by the following extract from one of the journals of that party:

"It has been the Democratic policy to regard the people of a Territory, when organized like the people of a State, capable of self-government. No power on earth can prevent any State in the Union, new or old, under the Federal Constitution, from becoming a slave State when its people choose. It is, therefore, and must ever remain a question with the people of a State to dispose of for themselves, and the Democratic party propose to leave the same question with the same people while yet a Territory—regarding the people of a Territory precisely as wise while a Territory as they will be when they are the people of a State. But modern 'Republicanism' insists that Congress ought to legislate for them, and this is the point in issue. Let those who have confidence in, and those who distrust the capacity of the people for self-government, whether in a State or a Territory, whether in an old country or in a new, range themselves upon this question accordingly.

"The Democrats will meet the issue fairly, directly, and boldly, and have no fear for the result. It was an alleged grievance by our fathers that the British Parliament would not permit them to legislate for themselves, but insisted on the right to legislate for them, when the Colonies held the same relation to Parliament that the Territories do to the Congress."

On the basis of this argument it was easy for this editor and his Northern associates to deny that either themselves or their party had any desire to assist in extending the area of slavery. They only desired, they said, to preserve the constitutional rights of the States, and the equal right of the people of the States and of the Territories, to self-government. To the charge of being pro-slavery on account of this concession, they could give their indignant denial. They only conceded the same right to Kansas which the "Republicans" themselves conceded to Missouri—the right of maintaining slavery, if they thought proper. If the "Democrats" were to be branded as pro-slavery, for vindicating this right in Kansas, why might not the "Republicans" be thus branded, for conceding it to Missouri?

This was the *plea*. And as the Republicans had conceded the constitutional right of the States to maintain slavery, a large proportion of the Democratic party, at the North, believed *their* party to be no more pro-slavery than the Republican. There could be no difference in principle, between them. If it were right to allow slavery in one part of the nation, it could not be wrong to

allow slavery in another part of the same nation. If the Constitution and State Rights ought to prevent Federal interference in the one case, why not in the other? The difference, at best, could be only in degree. The two parties were agreed in respect to the proper treatment of all, or nearly all the slavery that actually exists in the country. The only difference was in respect to the small remaining fraction, and in respect to the location of future increase.

Whatever of fallacy there may be to be detected in such deductions from the premises of "Constitutional protection to Slavery in the States"—premises held in common by both the contending parties—it may be recorded as a historical fact that nothing but the apparent force of such reasonings, on the basis of the "Republican" concessions, has saved the Northern wing of the Democratic party from utter annihilation. How those reasonings *should* have been met, is the question.

Another question, nevertheless, returns to us:

WHAT WAS MEANT BY THE CINCINNATI PLATFORM?

How much was actually meant by the apparent recognition of the right of the people of the Territories to frame their own institutions, may be learned by the encomiums bestowed, by the same Convention, on the administration of President Pierce, by whom the Missouri invaders had been assisted to *overthrow* that right, and also by their nomination of Mr. Buchanan, whose indorsement of those acts of the President was equally unequivocal.

The hearty approval of the Editor of the *Richmond Enquirer*, Mr. Ritchie, by whom (as has been shown) the doctrine of "Squatter Sovereignty" had been wholly repudiated, and who was a member of the Convention, is equally significant. Immediately after the Convention, Mr. Ritchie wrote the following, which appeared as editorial in that paper of June 6th:

"With the utmost possible precision and emphasis of language, these resolutions affirm the great vital principles, first, of the constitutional *guarantees of Slavery*; and secondly, of the *equality of the States*, with respect to their sovereign dignity and political rights. In equally clear and conclusive terms, the doctrine of *Squatter Sovereignty is repudiated* by the platform of the Democratic party."

The *Richmond Enquirer* is the leading Democratic paper of the South, and, on this point, speaks the sentiments of leading Southern statesmen of all parties. No Northern Democratic statesman, or editor of any note, is known to have dissented from this position.

"CAN ANY SOUTHERN MAN DOUBT?—It is almost a work of supererogation to offer further proofs upon the entire soundness of James Buchanan upon the question of the constitutional rights of the South. The issue has been fully made, and, upon argument, the South has decided to cast her votes for the Cincinnati nominees, whose past history and present attitude show them to be thoroughly reliable. What reason is there for the theory that Buchanan is a 'sectional' candidate, should the whole South go for him? *He stands upon a platform of the equality of the States, and of full and exact justice to every section of the Union.* The platform and the candidates were adopted by the vote of the united Democracy, representing every district of every State of the Union. The Democratic party is the only party that maintains the same ground in every State in the Union. The great features of the Democratic platform, which James Buchanan has fully and squarely indorsed, and of which he is a fair embodiment, are the equal rights of all the States and sections, the quieting of the anti-Slavery excitement, and the guardianship of the honor and interest of the nation."—*Richmond Enquirer of Aug. 27th, 1856.*

The following, from the Charleston (S. C.) *Mercury*, is an extract of a speech by Hon. Laurence M. Keitt, M.C.:

"Sir, the next contest will be a momentous one. It will turn upon the question of Slavery and the constitutional rights of the South. The South should establish in the platform the principle that the right of a Southern man to his *slave* is equal, in its length and breadth, to the right of a Northern man to his *horse*. She should make the recognition of the right full, complete, and indisputable."

This shows the meaning of "State Equality." It means the equal right of Southern Slaveholders and of Northern farmers, to take their property, whether horses or negroes, wherever they please, and to be equally protected by the Federal Government in those rights!

The *Daily Union and American*, (Nashville, Tenn.,) May 17th, 1856, gives an account of a discussion in the State Legislature "a short time previous," and records the following:

"Messrs. Baily, Smith and others went so far as to assert, in effect, that Slavery could only be carried where it is protected by *local legislation*; which is in direct denial of the doctrine of the South, that the Constitution of the United States recognizes Slavery, and protects it wherever that instrument extends. These are facts, hard, stubborn facts, which no ingenuity can evade, or sophistry pervert."

This is an explicit affirmation of the duty of the Federal Government to protect slave-property, in every part of the United States, by its paramount authority. And this is affirmed to be "the doctrine of the South." It is certainly the doctrine in process of enforcement by the Federal troops in Kansas. It is the doctrine of the Cincinnati Democratic platform, (as expounded by Mr. Ritchie,) and of Mr. Buchanan, (who declared himself to be the platform,) and of the party that has supported Mr. Buchanan.

This last statement, together with its logical consequences, is embraced fully in the extract that follows:

"THE TRUE ISSUE.—The Democrats of the South, in the pending canvass can not rely on the old grounds of apology and excuse for Slavery; for they seek not merely to retain it where it is, but to extend it into regions where it is unknown. Much less can they rely on the mere constitutional guarantees of Slavery, for such reliance is pregnant with the admission that Slavery is wrong, and, but for the Constitution, should be abolished. Nor will it avail us aught to show that the negro is most happy and best situated in the condition of Slavery. If we stop there, we weaken our cause by the very argument intended to advance it; for we propose to introduce into new territory human beings whom we assert to be unfit for liberty, self-government, and equal association with other men. We must go a step further. We must show that African Slavery is a moral, religious, natural, and probably, in the general, a necessary institution of society. This is the only line of argument that will enable Southerners to maintain the doctrines of State Equality and Slavery Extension. For, if Slavery be not a legitimate, useful, moral, and expedient institution, we can not, without reproof of conscience and the blush of shame, seek to extend it, or assert our equality with those States having no such institution.

"Our Northern friends need not go thus far. They do not seek to extend Slavery, but only agree to its extension, *as a matter of right on our part*. They may prefer their own social system to ours—it is right that they should. But, while they may prefer their own social system, they will have to admit, in this canvass, that ours is also rightful and legitimate, and sanctioned alike by the opinions and usages of mankind, and by the authority and express injunctions of Scripture. They can not consistently maintain that Slavery is immoral, inexpedient, and profane, and yet continue to submit to its extension. We know that we utter bold truths, but the time has arrived when their utterance can be no longer suppressed. The true issue should stand out in bold relief, so that none may mistake it."—*Richmond Enquirer* of June 16th, 1856.

It can not be mistaken, except by those who refuse information. It will be found instructive to follow these developments still further:

"The ensuing Presidential canvass will turn almost solely on the question of Equality. None can consistently or effectively contend for *State Equality* who do not hold that the institutions of the South are equally rightful, legitimate, moral, and promotive of human happiness with those of the North. If slave society be inferior in these respects to free society, we of the South are wrong and criminal in proposing to extend it to new territory, and the North right in exerting itself to the utmost to prevent such extension. But I go further: We must contend ours is the best form of society; for social organisms so opposite as those of the North and the South, can not be equally well suited to people in all other respects so exactly alike. We must surrender the doctrine of State Equality and Slavery extension, unless we are prepared to meet the attacks of Black Republicanism on our institutions, by making equally vigorous assaults on theirs. The President, in his Annual Message, has clearly indicated this as the proper mode of defense—the true answer to Abolition."—*Charleston (S. C.) Mercury* of April 1st, 1856.

This is tendering to us the "true issue." Those who tell us that we must meet the "issues" as presented to us by the Slaveholders, (meaning the bare issue of Freedom or Slavery in Kansas,) would do well to learn, more correctly, what the "issues" presented to us, really are. Of the popularity and progress of the "State Equality" doctrine, the following account is presented to us:

'STATE EQUALITY.—This new doctrine is the most popular ever broached by a political party. In its application to our Territories, it was formally suggested but a few months since. Yet it already commands the cheerful, unhesitating, and cordial assent of the Democracy of the country, who constitute a majority of the people, and is, besides, approved by every man with a Southern heart in his bosom, no matter to what party he belongs. Many men, loyal to the South, thought it unsafe to repeal the Missouri Compromise. They can think so no longer, for that Compromise never did give satisfaction to North or South. The North violated it in the case of California, and originated a party (the Free-Soilers) whose motto was, no more Slave Territory. It was the fruitful parent of Abolition, because it contained and asserted Abolition. If Government might and should prohibit Slavery north of 36° 30' it might and should prohibit it in all the Territories. *If Slavery was wrong and inexpedient in the Territories, it was equally wrong and inexpedient in the States.* There is no excuse left to any Southern man, whatever, to complain of the repeal of the Compromise. The Cincinnati Convention leaves no room to doubt that the principle of *State Equality surpasses that Compromise* in popularity, North and South.

"We rejoice that the great issue in the canvass will turn on this doctrine, because it will force the South into defending Slavery on principle. She contends now for its equal extension with other social forms, and must contend that it is equally worthy of extension. Her old grounds of apology and excuse will avail her nothing. She must examine history and statistics, and prove that Slaves are as well provided for, as happy and contented in the general, as hired laborers. She can easily show that they are better off in all these respects than hirelings, and, besides, far less addicted to crime. She must also show that Slave-owners are the equals in morality, piety, courage and intelligence, to bosses and employers. It will be easy to prove that they are their superiors. It will only remain for her to show that the Bible sanctions Slavery, and the victory will be complete."—*Richmond Enquirer* of June 13th, 1856.

"If Slavery was wrong and inexpedient in the *Territories*, it was equally wrong and inexpedient in the *States*."—True. And if the Federal Government is not to protect it in the Territories, it must not protect it in the States. The Slaveholders understand the issue. Why can it not be understood by the statesmen opposed to them?

Under the head of "The Slavery Agitation," the *Richmond Enquirer* of Sept. 8th, 1856, says:

"Obviously, the only mode of combating a party possessed with such a passion, and pursuing so relentless a policy, is to accept its own desperate terms, and deter-

mine, once for all, the issue in controversy. The Democracy have adopted this plan, and have promulgated it with all the authority of their great Convention. The principles at the basis of the Anti-Slavery (Republican) organization, could not be more directly and boldly controverted than they are controverted in the Democratic Platform. The conservation and constitutionalism of the South could not have a more fit and significant representative than James Buchanan. As the creed of the party clearly affirms the Equality of the States, and the *illegality of any Federal restriction on the rights of the South*, so does its candidate declare his approval of the repeal of the Missouri Compromise, and commit himself to the support of all the guarantees of Slavery in the Union and under the Constitution."

As a commentary on this affirmed "illegality of any Federal restriction on the rights of" slaveholding, we present evidence that the Kansas-Nebraska Act was designed to *establish* slavery in those Territories by Federal interference, and that any emigration into them by free-State men, is deemed a reprehensible attempt to defeat the purposes of that Act. In reply to Hon. Mr. Sumner, of Massachusetts, Hon. John J. Evans, Senator from South-Carolina, June 23, said:

"Well, sir, Kansas, although it is but one State, when added, will be good against three more. And was it strange, then, that the South should desire possession of Kansas, merely as a guaranty? These, Mr. President, are the reasons why we desire Kansas; but it was not allowed. The very instant it was opened to the Slave population, that instant there sprung up a contrivance, a machinery was set in operation, of which I do not choose to speak—the object of which was to defeat this act of Congress, and, as was said by the Senator from Massachusetts, to devote this Territory to a free population."

This shot was levelled at the Emigrant Aid Societies of New-England. The President and his Secretary, Mr. Marcy—his partisans in Congress, the presses supporting the Administration, all over the country, have denounced them. *But why so?* If "the Southern man with his slave, and the Northern man with his horse, are to be equally protected"—where was the offense of Northern emigration? It was this. A population of free laborers, as was proved in California, would vote to exclude slave-labor. And so the Border Ruffians, by the aid of Gov. Shannon and Gov. Geary, must virtually exclude them. "State equality," it seems, is only to be realized by making all the States "equal" in their "equal protection" of slaveholding—their equal claim to the Federal protection of slave property. Does any one doubt that this is the true rendering? Let him examine what follows.

Hon. A. G. Brown, of Mississippi, in a speech in the U. S. Senate, April 28, 1856, says:

"The advocates of State Rights have always held that the Territories are the common property of the States; that one State has the same interest in them as

another; and that the citizen of one State has the same right to go to them as a citizen of any other State. The corollary, therefore, has been *that a citizen of any one State has the same right* as the citizen of any other State to go into the Territories, and take with him whatever is recognized as property in the State from which he goes. Thus, if a citizen of Massachusetts may go and take with him a bale of goods, a citizen of Tennessee may go and take a barrel of whiskey; and if a citizen of New-York may go and take a horse, a citizen of Mississippi may go and take a slave. It must be so, or else the equality of the parties is destroyed. Tennessee becomes inferior to Massachusetts, and the rights of the Mississippian are inferior to those of the New-Yorker."

This might be good logic, in favor of the protection of slave property, if *man* were a legitimate subject of ownership, like "a bale of goods," or "a horse." The "issue" presented by the proslavery "Democracy," in the Presidential Election of the present year, involved, emphatically, *that question*. And it ought not to have been blinked by their opponents. Mr. Brown, above quoted, visited Mr. Buchanan to inform him of his nomination, and said of him, in a letter to Hon. S. R. Adams (published in the *Richmond Enquirer* of Aug. 27)—"In my judgment, he is as worthy of Southern confidence and Southern votes, as Mr. Calhoun ever was."

This is not exclusively *Southern* doctrine. Hon. John Cadwalader, of Pennsylvania, a leading Democrat and an intimate friend of Mr. Buchanan, in a speech in the Hall of Congress, March 5, said:

"But as the Mexican laws locally in force had excluded slavery from these Territories, (the Territories acquired from Mexico,) the application of this principle to them was illusory, so far as any possibility of participation in their further settlement by slaveholders might be concerned. *Property in slaves* was thus in effect excluded wholly from their limits. The principle of the former partitions having become inapplicable, and slaveholding settlers having been altogether excluded from this Territory, the slaveholding States were, *of right*, entitled to an indemnification for their loss, if it could be afforded, by giving to them access with their slaves to other territory. This principle was the moral basis of that praiseworthy legislation of 1854"—the repeal of the Missouri Compromise.*

Thus openly is it avowed by a Northern "Democrat" that the Kansas-Nebraska bill *was designed* to introduce slavery into free Territory. And this he denominates "praiseworthy legislation"!

* For these extracts we are indebted to an able article, in the *N. Y. Tribune*, Oct. 20, by Johnson H. Jordan, dated at Washington, D. C.

EXTENT OF THE PRO-SLAVERY CLAIM.

We have made these copious quotations, in order to exhibit fully and clearly the precise shape and form of the Constitutional theories upon which the pro-slavery party, miscalled, "Democratic," had planted itself, in the Presidential contest of the present year. Briefly stated, it embraces the following positions:

1. Slavery exists, legally, in this country, not in virtue of local, municipal legislation, but by natural right, or by the authority of custom.

2. It therefore exists (as is claimed by the slaveholders) without limitation as to race or color—and without limitation of geographical position. Both these conditions result from its existing independently of local statute.

3. The "States" have the independent right of maintaining this "institution," without the interference of the General Government.

4. The Constitution of the United States recognizes this institution, and the Federal Government is bound to protect it, equally, in all parts of the country.—Consequently;

5. Though "State Rights" and "State Sovereignty" include the right of *maintaining* slavery, they do not include the right to *abolish or exclude it*.

6. The States are equal:—as having an equal right to maintain slavery—also, they are equal in having no right to exclude it.

7. Every slaveholder has a right to demand Federal protection in carrying his slave property into every part of the country.

And this is called "State Equality" and "State Rights"! To oppose this universal Federal protection of slavery, is to oppose "State Sovereignty" and "State Rights"! It is to "consolidate" the Federal Government, and make it an engine for oppressing the inoffensive slaveholders! But no violation of State Rights is to be feared, and no danger of "consolidation" from the Federal *protection* of slavery in all the States!

This may seem like a caricature. And it may be doubted whether this is a fair representation of the "Democratic" platform. But, if it be a caricature, it is a caricature drawn by their own leading statesmen and editors—a caricature which, in each of its enumerated seven features, will be claimed to be a truthful likeness, by the leaders of the Southern wing of the party, by whom the entire party is controlled. Very certainly, and very explicitly, they claim that the slaveholders have a Constitutional right to take their slave property into the Territories, and to be protected in

that right. This principle, as well as the decision of Judge Kane, and the claim of *Virginia vs. New-York*, extends the demand to the free States, likewise. And this amounts to a denial of any Constitutional right in the States, to prohibit slavery. The proposed reëopening of the African Slave Trade, by Act of Congress, involves the same doctrine, since it would doubtless be held that no State could exclude slaves, if their importation were Constitutionally authorized by the Federal Government.

HOW HAS THE CLAIM BEEN MET?

The Republican party very properly repudiates the claim, and very earnestly places itself in opposition to it. But, on what principles, and by what process of argumentation does it seek to enlist the people against it? It is one thing to come into Court with a just cause. It is quite another thing to vindicate that just cause by a sound and available plea. Many a good cause is lost, in Court, by being defended on an indefensible basis. *Public sentiment*, in civilized communities, especially in Republics, constitutes the highest Court of Appeal. And Presidential Elections, once in four years, constitute the grand political assizes of that Court. It is not enough to declaim vehemently and eloquently against the monstrous results of the theory in question. Revolting and abhorrent as are those results, to those by whom they are clearly apprehended, the theory that covers it up and sustains it, is not wanting in plausibility and attractiveness to those who look only at the surface, who are captivated by specious names, and who are not easily persuaded to believe that the results attributed to those theories are realities. The sophistry must be unravelled. The cheatery must be exposed. And this must be done by separating, correctly, the Truth from the Falsehood, and showing that unmixed Truth not only leads to opposite conclusions, but is the very opposite of the theory that has been made to appear so attractive.

It will avail nothing to rely, as some do, upon the conclusion that legislative bodies and masses of voters, being already wedded to their parties, are not to be benefited by correct reasonings, nor injured by sophistry. Courts and juries are not *always* governed by correct reasonings, but the lawyer who, on *that* account, should be incautious in his arguments, would be very liable to make wreck of the most righteous cause.

The theory of the pro-slavery party must be met, confronted, and overthrown, *on solid ground*—on the basis of TRUTH: and no

other method will be found effectual in the end. Has that theory been thus met by the "Republican" party?

That theory, as we have exhibited it, reposes upon these two *premises*: *First*. That Slavery is constitutionally entitled to Federal protection in the States wherein it already exists. *Second*. That the States are equal with each other, and that they are to be treated as having equal rights.

These are the premises. The conclusions have been already described.

How are these premises to be treated? Are they both to be admitted? If so, how shall we avoid the conclusion?*

Are they both to be rejected? Would such rejection be in accordance with truth? Or, can the public sentiment of the country be led to a rejection of both of them?

If it would be a surrendry of the cause of freedom in Kansas and elsewhere, to *admit* both the premises—and if it be neither truthful nor available to *deny* both of them—it remains to inquire *which* of the two should be *admitted*, and which should be *denied*?

* The conclusion drawn by the *Richmond Enquirer*, it may be thought, does not follow legitimately from these premises. The Constitutional right of the slaveholder to be protected in his property, in a State wherein Slavery exists under the shield of State sovereignty, (it may be said,) does not clothe him with the right to be protected in that property when he removes it into a sovereign State wherein Slavery is not established.

This plea might stand, if the assumed right to hold slaves rested on State legislation, or local, municipal, positive law. *But it does not.* That claim is abjured by the slaveholder. And consequently, his right of slaveholding, *if he has any*, is not to be restricted by it. If his right is to be recognized at all, it is to be recognized upon the foundation upon which he places it, and upon no other. He places it upon natural right, which claim, if admitted, allows no restriction to State boundaries.

It may be inquired, further, how the doctrine "State equality" affects the rights of the individual *citizens* of States?

The answer is, that the rights of the State are nothing distinct from (or, at least, they include) the rights of its citizens. At all events, the right claimed in this case is, primarily, the right of the individual. If the right be satisfactorily recognized and protected, the *State*, too, is satisfied; but not otherwise.

If the States are equal, and may claim equal protection from the Federal Government, then their subjects may claim equal protection. If a citizen of Missouri is entitled to Federal protection in his right of slaveholding, then (the States being equal) a citizen of Kansas or of Iowa, is entitled to the same protection. And if a citizen of Missouri, holding slaves, removes with them into Kansas or Iowa, he forfeits not that same protection. For the citizen of one State has equal rights in another State.

Such is the Southern idea. The question is, how to meet it, without denying, *in toto*, the Constitutional right of slaveholding?

Shall we admit that Slavery is constitutionally entitled to Federal protection in the States wherein it exists? And shall we avoid the conclusion that Slavery is everywhere entitled to Federal protection, by pleading that the States are *not* equal? That the original States have rights to the Federal protection of Slavery, which can not be claimed by the new States, admitted afterwards? That the Federal Government may impose conditions on the *new* States, which shall place them on a different footing, in this respect, from the *old*?

This has been the position of those—with few exceptions—who, in our national councils, have opposed the admission of new Slave States. But is it in accordance with truth? The Constitution says that new States may be admitted. But does it say that conditions not involved in the Constitution, nor binding on the other States, may be imposed upon them, as conditions of their admission? Does it make provision for having *some* States with a Constitutional right to maintain Slavery, and for having *some other* States without any such Constitutional right? These questions have been urged by the Slavery party. And have they ever been met by their "Republican" opponents, and answered? Have the opponents of Slavery extension, on the basis commonly occupied by them, maintained their ground? Have they not themselves virtually receded from it? The "Free-Soil" party and the "Free Democracy" raised the flag of "No more Slave States." But the Republican Convention at Pittsburg *refused* to raise it, and the Philadelphia Convention *neglected* to do so. It is not to be found in either of those two platforms.

Is it retained, in respect to the Territories? If so, *how*, and on what *grounds*, and to what *good purpose* is it retained? Congress, it is said, can exclude Slavery from the Territories. "But how," demands the Slavery party, "can Congress exclude Slavery from the *Territories*, if it is to be protected in the *States*?"

The only answer to this is, that Slavery is to be protected only in the States wherein it already exists, by force of municipal, local, positive law. But Slavery does NOT THUS exist, in any one of the

* "Republicans" have said that the admission or rejection of new States is left to the discretion of Congress. And from this they infer that Congress may impose conditions of admission. Admitting this to be, technically, correct, the practical question returns: Is it probable that a people who permit Slavery in some of the States, will perseveringly refuse to permit it in other States? Will they consider it fair to do so? If they will bend conscience to expediency in the one case, will they not in the other? What are the lessons of experience on this subject?

States. The Slave States do not pretend it. The slaveholders do not. They deny the statement, and repudiate every thing of the kind.

Will it be insisted, on the other side, that Slavery in the Slave States *does* thus exist, notwithstanding the disclaimers of the slaveholders? And notwithstanding the absence, in all the Slave States, of any law which ordains and establishes Slavery? It seems a gratuity to concede to them a right of slaveholding on grounds which they disclaim and repudiate! Such concession becomes a nullity and a farce.

It remains that if the opponents of Slavery extension are to concede, on *any* grounds, the Constitutional right of the slaveholders to Federal protection, in the States wherein it already exists, they must concede the right, on the only grounds on which the slaveholders *themselves* claim it. They can concede it on no other grounds. The concession could not be accepted on any other grounds.

But to concede the right of slaveholding on the grounds upon which it is *claimed*, is to concede it as a natural right—the same right by which men hold horses and oxen, and all kinds of legitimate property. And to concede it, on this ground, is to concede the right of holding slave property in all the Territories, and in all the States, and also the claim of Federal protection for that right.

So that, if the right of slave property to Federal protection, *anywhere*, is to be admitted, the right is to be admitted *everywhere*. For this, and nothing else, is the right claimed. To concede *another* right, which is *not* claimed, is evading the issue. It is not meeting the question.*

* It may still be insisted that the slaveholder's claim *might*, possibly, be a sound and valid one, resting on some basis of which the slaveholder is himself ignorant, and which he repudiates, so that his claim is not to be set aside by merely disproving *his* idea of its basis. Be it so. It then remains for those who gratuitously recognize the validity of his claim to tell us on what basis it rests, in *their* minds. And here they will find themselves shut up to a choice of one of the three following alternatives, namely: 1. They must find some positive municipal law, establishing Slavery, and defining who are slaves; they must produce the statute, and tell when, where, by whom, and by what competent authority it was enacted; or 2. They must maintain with Judge McLean, that long-continued usage is a sufficient basis for Slavery; or else, 3. They must adopt the latest and most highly approved Southern theory, that Slavery exists by the law of the strongest, which they call "natural right."

This last theory, as already observed, carries Slavery at once into the Territories, on the same tenure by which it already exists in the States; the second concedes

Besides this, it is generally held, on all hands, that *if* the old Slave States have the right to maintain Slavery, then, whatever conditions may be imposed upon a State in order to its admission, the State has full power to control itself afterwards. It may be admitted on the condition of its having an Anti-Slavery Constitution. The condition of admission may be complied with at the time. But as soon as admitted, the State may change its Constitution and establish Slavery. And *that* Slavery then comes under Federal protection, just as in the old Slave States, which renders the process of Anti-Slavery restriction a mere nullity, a farce, except for the short time intervening before the Territory is admitted as a State. If any of those who hold the constitutional right of the old Slave States to maintain Slavery dissent from this, we are yet to be apprized of the fact.

And thus the doctrine of "State Equality"—so much gloried in by the Slavery party, and even hailed as a new discovery—the doctrine of "State Equality," so much denounced by the opposers of Slavery extension, is found to have gained its firm foothold in our national politics already.

This is seen in the abandonment, by the "non-extension" party of the motto of "No more Slave States." It was seen during the debate on the Kansas-Nebraska bill, and in the final vote on that question. This has been seen, too, in the strong vote given, at the North, for the candidate of the delusive and wicked Cincinnati platform, and in the election of members of Congress. The "Democracy," as it calls itself, appeared strong in its seeming vindication of "State Equality" and "State Rights." There was a guilty sophistry at the bottom of it, which tens and hundreds of thousands failed to detect—and *failed because it was not properly exposed.*

It is always a difficult task to convince men that the political party, to which they are attached, and with which they have long acted, has become wholly recreant to justice and liberty. So long as the designing leaders of the party can dress up plausible platforms, covering up the practical iniquity with maxims of abstract equity, so long they can usually succeed in hood-winking the great mass of their partisans. And the designs of such leaders receive the most effective assistance from opponents who place their oppo-

that it *may* be done by lapse of time; and the first, that it *may*, at *any* time, be done by a majority, if not by an oligarchy.

The question is, whether Slavery extension is to be warded off, in the use of either of these theories.

sition upon false grounds, and even go so far as to deny or deride the abstract truths which they should concede, while they concede the very core and pith of the practical falsehoods they should condemn and expose.

Such, unhappily, have been the arguments, that, for the most part, have been urged against the propagandists of Slavery, against the Kansas-Nebraska bill, against the administration of President Pierce, and against the platform and nominees of the Cincinnati Democratic Convention. Such has been the course of the Free-Soil party, the Free Democracy, the Republican party, and their leading men. Instead of denying the Constitutional right of the old Slave States to the Federal protection of their Slavery, they have conceded that iniquitous claim, and have denied the equitable and Constitutional equality of the States. Instead of denying the Constitutional right, either of the Territories or of the new States, to maintain Slavery, and denying also, that the old Slave States ever had any such right, they have derided the right of the people of the Territories to govern themselves, and have insisted (until quite recently) that the Federal Government alone hold that prerogative. They have thus carried on their political campaign under the double disadvantage of conceding the iniquitous falsehoods they should have contended against, and of contending against the evident truths that they should have maintained.*

* Since this and the preceding paragraphs were put in type, we have met with several indications of a discovery by Republican leaders, and by friends of Kansas, that the controversy as conducted, has been a failure, and will continue to be so. Senator Collamer has made a speech "showing that Congress has full power over the Territories." The *N. Y. Times* calls it "LOGIC WASTED." "Whatever the election may or may not have settled, it has settled this. And no future event can be more certain, in our judgment, than that Congress will not, during the next four years, exert any such power. The verdict of the people has been, substantially, in favor of popular sovereignty, at all events against the exercise of Congressional sovereignty over the Territories, in this respect."

To which we add the inquiry, whether that the verdict is likely to be reversed, until the advocates of restriction cease conceding the right of the Slave States to maintain Slavery. In the popular mind, will not the right of the people in the Territories, in this particular, be always considered the same as the right of the people of the States?

The *Herald of Freedom*, by G. W. Brown & Co., Lawrence, Kansas, expresses its views of Territorial rights, and its appreciation of the "Republican" mode of supporting them, in terms not easily mistaken. Under the head of "NOT DECIDED," it copies from a Republican paper as follows:

"REMEMBER that the election on Thursday next, decides whether freedom or slavery is the fate of Kansas and Nebraska, and all the unoccupied territory west of them.—*Eastern Exchange before election.*

They placed themselves in the attitude of self-confutation, by doing this. Their denial of the right of Slaveholders to the Federal protection of their Slaveholding in Kansas, stood confronted by their concession of that pretended right to the Slaveholders of Missouri. Their vindication of the rights of the Free settlers in Kansas, to establish free institutions without interference from the Federal Government, stood check-mated by their sneers at popular or "Squatter Sovereignty" in Kansas, and by their constantly reiterated claim that Slaveholding (which they admitted to be entitled to Federal protection in the States) should be prohibited by the Federal authorities, as a crime, in Kansas! *

To which the *Herald of Freedom* responds: "The election decided no such question. We deny the right of the people, either of the Northern or Southern States, to decide the character of our institutions. Missouri thought she had settled the question, but she never committed a greater blunder."

The *Herald* is gloriously right in spurning the idea that the Federal Government can fasten slavery upon the Territories, though doubtless it has the right to protect freedom, both there and in the States. All governments, State or National, are bound to protect *personal liberty*.

* It must be observed, here, that the theory and practice of the pro-Slavery "Democracy" involve them in similar and even worse self-contradictions. With all their affirmations of "popular sovereignty" in the Territories, they still follow the old precedents of a Federal control over them. They appoint the Governors, Judges, and other officers of Kansas, instead of allowing the settlers to elect them. Not only so; they appoint officers most obnoxious to the settlers, and uphold them in the most outrageous acts of tyranny. Denying the Constitutional power of the Federal Government to prohibit Slavery in Kansas, they wield that power to establish it. And when the settlers, unable longer to endure it, proceed to form and adopt a Free State Constitution, choose State officers, elect and convene a State Legislature, and ask admission into the Union, the "Democratic" clamorers for "popular sovereignty" in the Territories, denounce it as treason, though their own previous course in the case of other Territories, had abundantly furnished the precedent.

Neither party have, in fact, exhibited any thing like straightforward consistency in the matter. Neither party hesitates either to use or to repudiate "Squatter Sovereignty;" to invoke or to deprecate Federal interference, as their own temporary exigencies, for or against Slavery, may seem to require. And it can not be said that the past history of the country supplies any uniform rule in respect to it.

As neither of the parties, then, has any consistent and authorized theory of the relation of the Federal Government to the Territories, we may venture to propound our own. The settlers of a Territory, being citizens of the United States, carry with them all their essential rights, as such, and as human beings; just as the Plymouth Colonists brought with them *their* rights, as human beings, and as British subjects. But none of them brought any right to hold Slaves, for they never had any such right, either moral, legal, or Constitutional. They have the right, and are under obligation to establish a Government for the equal protection of the inalienable rights of all; but have no right, either moral or Constitutional, to estab-

So far as the logic of their arguments and of their position, in these particulars, was concerned, it all went against the results they were aiming at. It confirmed the logic and vindicated the position of their opponents. For whatever of support they received at the ballot-box, they were indebted, *not* to their position, nor to their logic, but to the better instincts and higher conscience which enabled the people to rise above all processes of reasoning, and reach their own independent conclusions. The atrocities enacted in Kansas were sufficient to show, independently of platforms, that the party supporting the Administration was outrageously wrong. And had it not been for the unhappy confusion of ideas and inconsistencies of position, with which the opposition was justly chargeable, the reaction of public sentiment would have been resistless and overwhelming, instead of being dubious and uncertain. These statements will be confirmed by the facts following.

THE POSITION OF THE REPUBLICAN PARTY.

The "Republican" Convention at Pittsburgh, Feb. 22 and 23, was planned and notified by politicians at Washington City, who determined that it should be of a conservative character. And it was afterwards commended to support by affirming that the "conservative" element prevailed against the more radical influences in the Convention. It was presided over by Mr. F. P. Blair, a slaveholder, of Maryland, who read a paper, which he called a Southern platform, and which was "received with unbounded enthusiasm" by the Convention. Its leading sentiments will appear, from the following extracts:

"There is a great body of thinking men in the Southern States—many, I know in Maryland, a considerable number of my neighbors in Montgomery county—who deplore the repeal of the *compromises relating to slavery, which all hoped had terminated the distractions growing out of this disturbing subject, forever.*"

* * * * *

lish any Government subversive of any man's rights. The Federal Government is bound to protect the people of a Territory in the exercise and enjoyment of these just and Constitutional rights; but it has no moral or Constitutional right to infringe them. It is bound to "guaranty" to the people a "Republican form of Government"—which excludes Slavery. This covers, consistently, and without self-contradiction, the whole ground, and affords a firm foothold for the friends of freedom, without disparaging either Federal powers or Territorial rights. If the clause of the Constitution that says, "Congress shall have power to dispose of, and make all needful rules and regulations respecting the Territory or other property belonging to the United States," may be cited as conveying civil jurisdiction, it certainly contains nothing inconsistent with the preceding statement.

After denouncing the treachery and intrigues by means of which the Nebraska bill was introduced and passed, the "paper" proceeds:

"They" (the moderate people of the South) "were not aware of the treachery of these (Northern) representatives to their constituents, nor did they anticipate the excitement which had ensued from the wrong, aggravated by the betrayal by which it was attended, nor the *dangerous consequences* likely to follow. Multitudes of honest patriots in the slaveholding States, who love the Union, would *willingly restore the Compromise*, the work of the great men of their own region. They were sensible of the fatal effects of its dissolution upon the peace and prosperity of the Confederacy, and of the *inevitable destruction of the security in which they hold the slave institution*—of the frightful scenes of civil war and SLAVE INSURRECTION which might arise from the collisions between the two sections; on the one side, wearing the aspect of a war of conquest for the extension of slavery; on the other, a war of defense to preserve the rights of the emigrants, who have gone from their bosom."

* * * * *

"The persons who have sent me to this Convention *are the first, of the slaveholding region*, who have come forward to vindicate the cause of our common country against this sectional influence. They are a body of *business men of Baltimore*, who feel that their city especially, and the State of Maryland, have a great stake depending upon the preservation of the Union and the peace of the country."

* * * * *

"The repeal of the repealing clause of the Nebraska-Kansas Act would be the *finale of all the existing commotions*, and of the eager ambition that originated them. If this *single line* is inscribed on our flag, we shall conquer under it. It will be the Union flag."

* * * * *

"I hold that every issue should merge in that of *repeal*."

The plain meaning of which is, that the Missouri Compromise must be restored, as a means of security to slavery.

The Address of the Convention itself was so constructed as not to conflict with the preceding. Among its concessions and disclaimers were the following:

"The slaveholding interest can not be made permanently paramount, in the General Government, without involving consequences fatal to free institutions. *We acknowledge that it is large and powerful, that in the States where it exists IT IS ENTITLED, UNDER THE CONSTITUTION, LIKE ALL OTHER LOCAL INTERESTS, to immunity from the interferences of the General Government*, and that it must necessarily exercise, through its representatives, a considerable share of political power."

This concession accords well with the views of President Pierce, as they had been previously expressed in his Annual Message:

"Hence the General Government, as well by the enumerated powers granted to it, as by those not enumerated and therefore refused to it, was forbidden to

touch this matter (slavery) in the sense of attack or offense, it was placed under the general safeguard of the Union, in the sense of defense against either invasion or domestic violence, like all other local interests of the several States."

The measures of the Republican party were stated as follows :

"We do therefore declare to the people of the United States, as objects for which we unite in political action :

"1. We demand, and shall attempt to secure the repeal of all laws which allow the introduction of slavery *into Territories once consecrated to freedom*, and will resist, by every Constitutional means, the existence of Slavery in any of the Territories of the United States.*

"2. We will support, by every lawful means, our brethren in Kansas, in their Constitutional and manly resistance to the usurped authority of their lawless invaders, and will give the full weight of our political power in favor of the immediate admission of Kansas into the Union, as a free, sovereign State.

"3. Believing that the present National Administration has shown itself to be weak and faithless, and that its continuance in power is identified with the progress of the slave power to national supremacy, with the exclusion of freedom from the Territories, and with increasing civil discord, it is a leading purpose in our organization to oppose and overthrow it."

The Convention proceed to say that "when Franklin Pierce, on the 4th of March, 1853, became President of the United States, no controversy growing out of slavery was agitating the country." But the repeal of the Missouri Compromise had reopened the controversy. In speaking of the question concerning the institutions of Kansas, the Address says, distinctly :

"The doctrine of popular sovereignty in the people of the Territories, has no warrant or support in the Constitution."—"So long as they remain Territories, they are the possession, and under the exclusive dominion of the United States. and it is for the General Government to make such laws for them, as their welfare, and that of the nation may require."

The Address closes with the following :

"*Disclaiming any intentions to interfere with slavery in the States where it exists, or to invalidate those portions of the Constitution by which it is removed from national control*, let us prevent the increase of its political power, preserve the General Government from its ascendancy, bring back its administration to the principles and practice of its wise and illustrious founders, and thus vindicate the Constitution and the Union, and secure the blessings of liberty to ourselves and our posterity."

By the Pittsburg Convention a Committee was appointed to call a *Nominating Convention*, on the *preceding Platform*. In the discharge of their duty, this Committee issued an Address,

What those "Constitutional means" are, the Convention does not define.

setting forth the objects of the Nominating Convention, which were thus stated :

"Why may not all those classes who are hostile to the introduction of slavery into free territory, unite at this crisis of impending danger, to vote for a common ticket, which will be nominated to assert the grand principle of repressing the extension of slaveholding monopoly, and vindicate the rights of the people in all sections of the Union, who labor with their own hands? A ticket which will agitate NOT with a view to detract from the rights of the States to dispose of the subject within their limits, according to their sovereign will: yet its influence to destroy the freedom of WHITE laborers is a fit subject of investigation, (I ?) with a view to repress the aggressive power in every Constitutional way."

Again, speaking of their Democratic opponents, the Committee say :

"In their arrogance they stigmatize as 'Black Republicans' those who would make a constellation of free bright republics, constituted of the WHITE race ALONE, untarnished by a slave of any color."

The Nominating Convention met at Philadelphia, the 17th of June. It did nothing contradictory to the doings of the Convention that preceded it, or of the call under which it had assembled. Its disclaimers of Federal authority over slavery in the States, though less offensively stated, were, in reality, retained. This was done by adverting to the "self-evident truths" of the Declaration of Independence, and then adding that "the primary object and ulterior design of our Federal Government were to secure these rights to all persons *under their exclusive jurisdiction*," meaning in the Territories, and plainly suggesting that the Government was *not* to apply the same principle within the States! This was done, still further, by quoting the Constitutional provision that "no person shall be deprived of life, liberty, or property, without due process of law"—and then saying, "It becomes our duty to maintain this provision of the Constitution against all attempts to violate it in the *Territories* of the United States!"—thus plainly teaching that its violation in the States was to be passed over with impunity. So that the Declaration of Independence made by the "Representatives of the United States," and the "Constitution of the United States"—so far as the principles and the safeguards of liberty are concerned—are not at all for the States, who declared and ordained them, but for "the Territories" only!

In the selection of their Presidential Candidate, the Republican Convention at Philadelphia placed itself precisely on the same platform with the Pittsburg Convention. It nominated COL. FRE-

MONT, in response to a letter from him, which was read in the Convention, and which was received with acclamation. In this letter he said :

"While I am inflexible in the belief that it [slavery] ought not to be interfered with where it exists, under the shield of State sovereignty, I am as inflexibly opposed to its extension beyond its present limits."

Of the manner in which the Opposition party in Congress has discharged its responsibilities, some statements have already been made. Of the general tone of Republican speeches and editorials, in the country at large, we can not and need not speak at much length. While much important information has been diffused by them, and many noble and just sentiments advanced, we fear that, on the whole, the standard has not been raised higher than in the two National Conventions. In some instances, toward the close of the campaign, it has sunk lower. The determination to secure freedom for Kansas has been more faintly expressed. Instead of demanding, as at first, that "*Kansas should be immediately admitted, as a State of the Union, with her present Free Constitution,*" (for this was the language of the Philadelphia Convention,) there has seemed a tendency to recede to the position that Kansas, as well as other new States, is to be admitted either with or without slavery, as the people therein residing shall determine, provided only that there be no external interference or violence, either from the people of neighboring States or from the Government—thus falling back upon the "Squatter Sovereignty" theory, but without the only true corrective, namely, a denial of the right of any State or Territory to establish slavery.

As specimens of this retreating tendency, it is sufficient to record an extract (from the *New-York Tribune*) of a speech of Mr. Speaker BANKS, in Wall street, New-York, September 25th. After disclaiming, for his party, any desire to interfere with Slavery in the States, Mr. Banks proceeded to say :

"The question is not that we shall legislate against the South upon the question of Slavery. It is not that we shall legislate upon the question of the Fugitive Slave bill. We don't raise the question whether, in the future extension of our Territory, Slavery shall be prohibited or no. We abandon all these questions, and we stand upon this distinct simple proposition, that that which gave peace to the country in 1820, and that which secured the peace of the country in 1850, ought to be made good by the Government of the United States with the consent of the American people. That is all we ask—no more, no less, no better and no worse—that the spirit of the Acts of 1820 and 1850 shall be made good by the American people of the South, let me say, as well as the North, in the place of the conflagration, murder, and civil war that now prevail in Kansas. To do this, no

legislation is required, and it is not necessary that the halls of Congress should be again opened to agitation. We desire the election of a President of the United States with simple views and determined will, who will exert the influence of the Government in that portion of the Territory of the United States, and allow the people of this country* to settle the question of Slavery for themselves there. [Applause.] We ask no man more than this, and when we have succeeded in the Presidential election before us, as in the grace of God we shall and will succeed, [great applause,] and the fact is proclaimed that Fremont is elected, Kansas will be again restored to freedom without legislative act, or the interference of the hand of Government in any way. [Applause.] So much, gentlemen, for the remedy in regard to Kansas, that we propose. It is a simple, feasible, and statesman-like proposition. Effect the settlement of this question, and you remove a question of agitation, and give again the peace which it enjoyed in 1852. I should do wrong to our cause, the cause of the Northern States, if I failed to say that there are other influences we desire to exert by the elevation to the Presidency of the man of our choice. We ask that the dead weight of human wrong shall be lifted up from the continent again, that it may rise as it was rising before these acts of wrong were done. [Applause.] We ask of you, fellow-citizens of New-York, four years of quiet and peace, so that we may again proceed to the development of the material interests of that portion of the continent which we occupy."

This is an explicit abandonment of "non-extension." The people of Kansas are to "settle the question of Slavery for themselves." "Peace" and safety are to be regained, by going back to the Compromise-measures of 1850, and reposing upon them. The downward tendency and retreating course of political "non-extension" (resorted to either as a substitute or as a preparation for abolition) are here clearly seen.

Nor have these vacillating and retreating tendencies of the Republican party been unobserved or unimproved by their Democratic opponents. Their editors and public speakers have greedily seized upon such manifestations and have held them up in triumph, as confirmations of the soundness of the Democratic platform, and as presages of a "Democratic" triumph, and of a "Republican" overthrow. An instance we may mention, in the speech of Hon. Rufus Choate, at Lowell, Mass., in the course of which he reviewed the speech of Mr. Banks, already quoted, and showed that it was a concession of one of the principal points in debate between the two parties. The defeat of the Republican party may be sufficiently accounted for, by the concessions made in that single speech of Mr. Banks, approved and lauded as it was by Republican editors.

* The New-York *Herald's* report has it: "so as to allow *its* people to settle the question for themselves, there." This was evidently the meaning.

PREVIOUS EXPERIMENTS.

If further illustrations were needed of the downward tendency of efforts for mere non-extension, the entire history of such efforts, in times past, is full of important instruction.

The advocates of mere "non-extension" are never tired of fortifying their position, by pointing to the policy of our fathers. They glory in seeking to bring back the country to the principles and measures of Washington and Jefferson. They follow the example (they tell us) of those who established the Ordinance of 1787, for the North-Western Territory, and for the important States that have been formed out of it. And here closes the story of the benefits of that policy. They forget to tell us that even the North-Western States, and all the other nominally Free States, are at this moment, insecure, and that they have all along been hunting-ground for Slaves, to the utter insecurity of personal liberty. They forget how those same illustrious "non-extension" statesmen, gave us the first Fugitive Slave bill, the admission of two new Slave States, the unconstitutional establishment of Slavery in the Federal District, and the purchase of Slaveholding Louisiana, thus inaugurating the policy that is still continued, and that has brought us, step by step, into our present condition. "Non-extensionists"—professedly such—have done all this for us. Attempted "non-extension" (as a substitute for Abolition) has brought upon the nation what it now suffers.

"Non-extension," after a feeble resistance to the admission of slaveholding Missouri, yielded the point, by a disgraceful and wicked Compromise, as foolish as it was wicked, by which the Slave-power secured all it wanted then, with the vantage-ground which, afterwards, enabled it to seize the relinquished Territory.

The steady and consistent fidelity of "non-extensionists" to "non-extension," is a phenomenon seldom if ever witnessed. The signature of Washington was appended to the reaffirmed North-Western restriction, in 1789, and to the admission of slaveholding Kentucky three years afterwards. The same Jefferson who so solicitously excluded Slavery from the North-Western Territory, in 1787, became clamorous for the unrestricted admission of Missouri, in 1819-20.

For eight years, the annexation of Texas was resisted, but was consented to, afterwards, thus demonstrating that Slavery permitted to *live*—is, eventually, Slavery permitted to *make progress*.

All it asks is a place for its root, in the soil. Its own nature and the nature of things, stand pledged to its consequent growth. And those who aim merely at non-extension, while they consent to existing Slavery, for want of self-consistency become unstable and gradually relax their efforts.

Still later experiments have produced similar results, and confirm the same lesson. We copy from an editorial of the New-York *Daily Tribune* of October 29th, 1856:

"When, in 1846, President Polk sent a message to Congress, asking that money be placed at his disposal to facilitate the negotiation of a peace with Mexico, every body understood this proposition as looking to a purchase of Mexican Territory, and a strong solicitude was spontaneously expressed that the Territory so acquired should not be cursed with Human Slavery. A consultation among the Democratic members from the Free States was hastily had, in consequence of which Mr. David Wilmot, of Pennsylvania, proposed to amend the first section of the bill as reported, by adding:

"*Provided, That, as an express and fundamental condition to the acquisition of any Territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither Slavery nor involuntary servitude shall ever exist in any part of said Territory, except for crime, whereof the party shall first be duly convicted.*"

"This Democratic proposition appeared so reasonable and just that every Whig from the Free States voted for it, and every Democrat also but *three*. The representative of the Berks District, Pennsylvania, was among its firmest supporters. The South solidly opposed it; but it was carried by the strong vote of 83 to 64. The bill thus amended passed the House, but failed for want of time in the Senate, and Gen. Cass went home complaining that John Davis of Massachusetts, by talking against time, had prevented the adoption of this salutary Proviso, for which he said he was anxious to vote.

"The next year, (1847) most of the Legislatures of the Free States passed resolves approving of the principle affirmed. Here is a fair sample in the resolves of the Legislature of New-Hampshire—then strongly Democratic:

"*Resolved, by the Senate and House of Representatives in General Court convened, That we regard the institution of Slavery as a moral, social, and political evil, and, as such, we deeply regret its existence, and are willing to concur in all reasonable and constitutional measures that may tend to its removal.*

"*Resolved, That in all Territory which may hereafter be added or acquired by the United States, where Slavery does not exist at the time of such addition or acquirement, neither Slavery nor involuntary servitude, except for the punishment of crime, whereof the party has been duly convicted, ought ever to exist, but the same should ever remain free; and we are opposed to the extension of Slavery over any such Territory; and that we also approve of the vote of our Senators and Representatives in Congress in favor of the Wilmot Proviso.*

"*Resolved, That our Senators in Congress be instructed, and our Representatives be requested, by all expedient and constitutional means and measures, to sustain the principles herein above set forth.*

"MOSES NORRIS, JR.,

"Speaker of the House of Representatives.

"HARRY HIBBARD, President of the Senate.

"JARED W. WILLIAMS, Governor."

"In each of the two following years, successive New-Hampshire Legislatures, still strongly Democratic, passed similar resolves, as did those of all the other Democratic Free States, Iowa only excepted.

"In 1847, (Oct. 6th,) a Whig State Convention was held at Syracuse, in our State, whereof James Brooks, editor of the *New-York Express*, was a member; and to him was confided the duty of drafting the address to the people of our State. In that address Mr. Brooks, with the hearty assent of the entire Convention, speaks of Slavery Extension as follows:

"We protest, in the name of the Rights of Man and of Liberty, against the further extension of Slavery in North-America. The curse which our mother country inflicted upon us, in spite of our fathers' remonstrances, we demand shall never blight the virgin soil of the North-Pacific. We feel that it would be a horrible mockery for the columns of Anglo-Saxon immigration to be approaching and looking down upon the dark, benighted region of Asiatic despotism, with Africans enslaved under the banners that lead their march, 'as westward the Star of Empire takes its way.' We have no desire to infringe upon any one of the Compromises of the Constitution. The Constitution as it is, and the country as it is, are good enough for us. We Whigs of the North are conservatives of the Constitution, in its essence and in its every word and letter. The fell and mischievous results of Abolitionism are nowhere better understood or more condemned than in New-York. But we will not pour out the blood of our countrymen, if we can help it, to turn a Free into a Slave soil. We will not spend from fifty to a hundred millions of dollars per year, to make a slave-market for any portion of our countrymen. We will never, for such a purpose, consent to run up an untold National Debt, and saddle our posterity with fund-mongers, tax-brokers, tax-gatherers, laying an excise or an impost on every thing they taste, touch, or live by. The Union as it is, the whole Union, and *nothing but the Union*, we will stand by to the last; but *No More Territory* is our watchword—*unless it be free.*'

"Now, this same James Brooks is one of the noisiest advocates of acquiescence in Slavery Extension, and nightly sits up with the Union for fear that the 'Black Republicans' will destroy it by keeping Slavery out of Kansas and Nebraska!

* * * * *

"Josiah Randall, of Philadelphia, is another ex-Whig who is now busily denouncing the Republican party as sectional and dangerous to the Union, and therefore (he says) he supports Buchanan. Yet nearly forty years ago (in 1819) this same Mr. Randall, then a member of the Pennsylvania House, himself called the Yeas and Nays upon and voted for a preamble which forcibly denounced the contemplated admission of Missouri as a Slave State, stigmatizing it as a measure 'which has a palpable tendency to impair the political relations of the several States; which is calculated to mar the social happiness of the present and future generations; which, if adopted, would impede the march of humanity and freedom through the world; and would transfer from a misguided ancestry an odious stain, and fix it indelibly upon the present race—a measure, in brief, which proposes to spread the crimes and cruelties of Slavery from the banks of the Mississippi to the shores of the Pacific.'

"Mr. Randall and his associates proceed to say, that 'it can not be pretended that the rights of any of the States are at all to be affected by refusing to extend the mischiefs of human bondage over the boundless regions of the West'—and conclude by adopting, as the unanimous sentiment of Pennsylvania, the following:

"*Resolved, by the Senate and House of Representatives of the Commonwealth of Pennsylvania, That the Senators of this State, in the Congress of the United States, be and they are hereby instructed, and that the Representatives of this State, in the Congress of the United States, be, and they are hereby requested, to vote*

against the admission of any Territory as a State into the Union, unless said Territory shall stipulate and agree that 'the further introduction of Slavery or involuntary servitude, except for the punishment of crimes, whereof the party shall have been duly convicted, shall be prohibited; and that all children born within the said Territory, after its admission into the Union as a State, shall be free, but may be held to service until the age of twenty-five years.'

"Daniel S. Dickinson, on one occasion when the Wilmot Proviso was before the Senate, protested against its interpolation into a Supply bill in time of war, saying he was in favor of the principle, but not of its assertion in that connection. (We can not at this moment put our finger on his speech to this effect, but our recollection of it is very decided.)

"Greene C. Bronson, in 1848, wrote a letter to a meeting of Barnburners, avowing himself opposed to the Extension of Slavery.

"—In short, before the Slave Power began to bluster and threaten, the concurrence of sentiment in the Free States in favor of excluding Slavery from all Territories not already cursed by it, was all but universal."

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Thus far we have quoted from the *Tribune*. Its principal Editor and Proprietor, HORACE GREELEY, has collected and published a documentary "HISTORY OF THE STRUGGLE FOR SLAVERY EXTENSION OR RESTRICTION IN THE UNITED STATES, from the Declaration of Independence to the present day," etc.—a very valuable and timely work. It exhibits (as it was doubtless intended to do) the vast amount of labor that has been expended by large numbers of the most able and popular statesmen of the country, of different parties, to prevent the extension of slavery. Their example, and the influence of their honored names, are brought forward to sanction and encourage similar efforts now. But the work also exhibits (whatever was intended by it) the almost entire failure of those efforts, especially of those of a recent date. Missouri, in despite of the opposition, was admitted, and the territory then exempted by a compromise, has lately been seized upon. Texas has been admitted, and the Wilmot proviso defeated. California, Oregon, and the States formed out of the North-Western Territory, nominally, have thus far escaped slavery, but this is counterbalanced by the admission of slaveholding Louisiana, Florida, Texas, and (prospectively) New-Mexico—to say nothing of Cuba and Central America. Our present condition and prospects, as Mr. Greeley understands them, are thus set forth, at the close of the article already quoted from, in the *Tribune* of Oct. 29.

"The Republican party, and that alone, stands clearly on the ground first marked out by Thomas Jefferson in 1784, and unanimously affirmed by the last Continental Congress in '87 and the first Federal Congress in '89—the ground maintained by the Free States in 1818–20, and again in 1846–48. If we are beaten in this Election, the North is completely backed down from all the distinctive ground she has hitherto taken, and slavery is established as the natural condition of the Territories,

while freedom is made the local and casual exception. If we are beaten now, it is settled that the Slave Power has but to demand and threaten, to secure whatever further concession it may see fit to require. The right of the slaveholder to bring his human chattels into free States, and the reopening of the African Slave Trade, are all that remain to be exacted, to render the enthronement of slavery complete. And these can both be carried with a lighter shock to the sensibilities of the North than was given in the repudiation of the Missouri Compact."

LESSONS OF EXPERIENCE.

This, then, is the condition into which we are brought by an EIGHTY YEARS' EXPERIMENT OF THE "NON-EXTENSION" POLICY, connected (except at an early date, the only period of its efficacy) with disclaimers of abolition. As soon as *abolition* came to be disclaimed or postponed, "non-extension" gave way to "extension," and thus "the great struggle" becomes less and less hopeful. If any thing is to be learned by this Eighty Years' "Struggle"—confirming the deductions of reason—it is this, that "NON-EXTENSION" without ABOLITION is, in the long run, and on the whole, a failure. Incidental exceptions confirm the general rule. The closing picture of the *Tribune* attests this. And the temporary or seeming rescue of Kansas, should it occur, either with or without a "Republican" triumph, would add but a flickering light to that dark picture.

"The Republican party," says the *Tribune*, "stands clearly on the ground first marked out by Thomas Jefferson, in 1784." Then "the Republican party stands clearly" on the ground of "emptiness," marked out by "the plummet of confusion"—where "Non-extension" has stood for the last eighty years! Instead of having made progress, it has gone backward. Its contrast of position is marked by placing its 1856 by the side of its 1784. See what it is now, as compared with what it was then. From this, the measure of its *past*, may be computed its *future*. What the *Tribune* apprehends from a Republican defeat, may be expected either with a Republican defeat or a Republican triumph, unless Republicanism can learn that "*Non-Extension*" is to be reached in no way but by *Extinction*. High time is it, after an eighty years' disastrous experiment, to explode the transparent fallacy of either facilitating extinction, or of compensating for the absence of it, by a previous "Non-extension." What Washington, Franklin, and Jefferson, in the plenitude of their popularity and power, and in the feeble infancy of slavery, could not or dared not do; what John Quincy Adams and Van Buren could not do; what Webster, Clay, and Fillmore could not or did not do (for all these are

claimed as having been Non-Extensionists)—what Chase, Hale, Seward, Sumner, and Giddings have not been able to do, is not very likely to be done by their successors, the leaders of the present Republican party, who have not attempted more, nor stood more firmly, nor brought more comprehensiveness of vision or mental power to the work. It is no disparagement either to the earlier or the later generations of "Non-extensionists" to say, that they could not and can not do what, in the nature of things, can not be done. We would not deny that local and temporary advantages may, at times, be gained by restriction; and we would earnestly insist that every effort for the extension of slavery, in whatever direction, should be firmly resisted by the friends of freedom, by every consistent and lawful measure. But among such measures we *could not* include the support of parties and candidates opposed to the abolition of existing slavery, which would be doing evil that good may come. We would not rely on the best measures of restriction, to work out the future extinction of slavery, or even to afford permanent security to any portion of the country, while any other portion of it is relinquished to slavery.

We do not say that the Republican party, had it been triumphant in this election, *might not* successfully roll back the tide of pro-slavery aggression. We think it *could and would*, if it could but be persuaded to accurately count the cost, and magnanimously consent to pay the price, namely, a radical and resolute change of its policy. But we have no faith in its ability to do it in any other way. We do not believe in its power to disarrange the order of nature, to repeal the laws of moral and political cause and effect, or to reverse all the lessons of past history. We do not believe it could prevent the future extension of slavery, under the Federal protection, into *all* the Territories and all the States, if it continued to concede to the slaveholders of *any one* of the States the right of Federal protection for their slaveholding. We do not believe that the people of the Nation, or even of the Non-slaveholding States, can be made to settle down into a resolute and effectual denial of the Constitutional right of slaveholding in *one* part of the country, while they concede that same right to the slaveholders in *another* part of the country. When forced, as they soon must be, to act upon the slaveholder's claim to property in man, *not* as resting upon any local or State enactment, but upon "natural right," they will be compelled either to deny the claim to all the citizens of all the States and Territories, or else concede it to all of them. The statesman or the party that asks their vote against the *extension* of slavery, must give them an opportunity to vote against the *ex-*

istence of slavery. They will see in the latter the only adequate and sure means of the former.

Or if, on the other hand, the people finally conclude to continue their indorsement of the Constitutional right of slaveholding in the slave States, yielding to the claim of the slaveholders as a natural right, they will, of necessity, be driven to concede the same Constitutional right of the slaveholder to carry his slaves into all the Territories and all the States, in accordance with the present demands of the Oligarchy, and with the policy of President Pierce.*

The same result will also be witnessed in Congress and in the Cabinet. The Constitutional right of the slaveholders to the protection of their slave property in *all* the States and Territories, will have to be ACKNOWLEDGED, or else it will have to be DENIED in respect to all of them. The changed position of the slavery party, in respect to the ground of their claim on slave property, has forced this alternative upon the Government and upon the country. Is the Republican party, prepared, or in process of preparing itself, to grapple with this question, and to decide it in favor

* In all the debates in Congress, on the Nebraska bill and on the affairs of Kansas, we have found no Free Soiler or Republican who has based an argument against the admission of slaves into Kansas, on the ground of the *illegality of Slavery, in the Slave States, or, that human beings are not property*. We may extend the same remark to all the Republican Conventions, public speeches, and newspaper discussions, during the Presidential canvass. They have uniformly taken the ground that Slavery can not lawfully go into the Territories, because, in the Territories, there is no *local positive law*, creating the relation. Mr. Fessenden, of Maine, in a speech in the Senate, during the present session, places the argument expressly on that ground. "We deny," says he, "that there is any Constitutional right, on the part of any Southern man, to go into a free Territory, and carry his slaves with him. We say that Slavery can exist there *only by force of positive law*." This carries the implied admission that it does thus exist in the Slave States, and *might* thus be established in Kansas. Granting them this, the slaveholders readily claim their "*rights of property*," and very plausibly claim their equal rights, with Northern citizens, of carrying their "*property*" into the Territories. The true way to silence this clamor is, to *deny the right of property altogether*. They have no such "*property*" to be carried anywhere, and the Constitution recognizes no such property. We have the testimony of Mr. Madison, that in the Federal Convention, he himself objected to any such recognition, and that the Convention, on motion of Mr. Randolph, unanimously changed the word "*servitude*" to "*service*," in the Apportionment clause, on purpose to avoid the appearance of any such recognition. The Madison papers also prove that in the same clause, the apportionment of taxes was intended to be based upon the number of *wealth-earning inhabitants*, not upon any number of *slaves*, more or less, considered as *property*. Neither the rendition nor the importation clause describe or recognize property in man. No Constitutional obligation, or compact, or treaty, can therefore be pleaded in favor of the claim of a right to carry slave "*property*" into the Territories.

of a nation's freedom? If so, that party may hang together, and do public service. If not, it must fall in pieces, speedily, or live only to hinder the progress of freedom.

THE PRESIDENTIAL ELECTION.—CAUSES OF "REPUBLICAN"
DEFEAT.

The Republican party and its candidate have sustained a defeat. Whether, or in what degree, that defeat has been owing to the defects and errors we have pointed out, we leave for others to judge and determine. That party has not failed for want of support from the great body of "Free-Soilers" and "Abolitionists." Whether wisely or unwisely, *these*, with inconsiderable exceptions, have cast their votes for Col. Fremont. If it be true, as they have maintained, that men always "*throw away their votes*" when they *so* vote as to fail of electing their candidates, then they have, in this case, thrown away *theirs*. But if no vote is truly saved, except that which is cast in favor of truth and righteousness, if no Presidential vote is saved, except that which is cast for the abolition of Slavery where it exists, and for the liberation of our four millions of Slaves—and if, in reality, *no other* vote is an effective vote for the deliverance of the country from the power of the Slavery Oligarchy, whose *control* has been proved by the experience of eighty years to be involved in the fact of its permitted *existence*, then the almost uncounted few who have cast their votes for Gerrit Smith and Samuel McFarland have NOT lost *THEIR* votes. They have recorded them in favor of the only true course for the friends of liberty—the only course that, under the moral and providential government of a just God, promises success. They have set an example which, if followed by a majority of the voters in each of the non-slaveholding States, would insure the deliverance, not only of Kansas, but of the entire country, and all its inhabitants. They have set an example which, if it had been set by all Abolitionists and Free-Soilers, would have shaped the platform, and determined the qualifications of the candidates of the opponents of Slavery, for the *next* Presidential contest—an advantage that might perhaps have decided, even at this late day, the nation's destiny. As it is, they enjoy the consciousness of having voted in accordance with the explicit rules of God's word, and the principles of unchanging right. Nor can they be taunted, neither by their friends nor their enemies, with having deserted the slave, nor contradicted their principles. And under the circumstances of the case, no one can say that the "Republican" candidates have lost

their election, for want of their votes. Had they all voted for Fremont, the result would not have been changed.

From this last statement it may be inferred that nothing could possibly have been gained to the Republican party by their adoption of an Abolition platform. It may be said that such a platform would have repelled tens of thousands, who have now voted with them, while it would have attracted but an inconsiderable few in their places.

The inference is by no means a legitimate one. It is freely admitted that large numbers who now voted with them, would have been startled and offended by an Abolition platform. But large numbers even of these might have been won over, before the election, by the clear and impregnable arguments that might have been forced upon their attention. The apprehended loss of numbers, from this source, might have been, in this manner, greatly reduced.

Add to this, that a *proper exposure* of the fallacies and absurdities of the Democratic platform—an exposure which nothing but an *Abolition* platform would have enabled the Republicans to have made and to have promulgated by all their public speakers, and through all their widely-circulated journals, would doubtless have opened the eyes of many thousands to the true issue before the country, and the true way of meeting it at the ballot-box. Large numbers connected with the Democratic party, and who have been persuaded to remain and vote with it, under the notion that by so doing they were only voting for "State Equality" and "State Rights," but *not* for the extension of Slavery, might have discovered their mistake and rallied with the friends of freedom. The large numbers in the so-called "American" party, to whom the Republican editors concede a desire to promote the cause of freedom, but whose coöperation they have failed to secure, might, in the light of the true issue, presented by so large and growing a party, have been guided and encouraged to cast in their lot with them—a mode of coöperation without compromise and without hazard. It is now claimed by leading Republican editors, that their party would have been victorious, had there been no such intervening party as the "American" between themselves and the party of Slavery. Assuming this to be true, it is quite evident that the lines between Slavery and Freedom *should* have been drawn with the greatest possible distinctness, and in a manner to exhibit—*not* (as has been done) the slight shades of difference between the Republican party and the pro-Slavery Democratic and Whig parties as it stood at the date of the Compromise-measures

of 1850; but, on the other hand, the broad and heaven-wide distinction between the parties, as involving either the deliverance or the enslavement of the entire American people, Northern and Southern, and of all hues.

Such an issue, (and it is the only truthful one,) had it been presented by so numerous and imposing a body of men as the Republican party, would have clothed them with an almost resistless power, and would have compelled the attention of the very numerous class of quiet citizens, who seldom, if ever, approach the polls, and who are now free to say that the differences between rival parties are seldom so clearly defined and vital as to demand the attention of those who neither expect nor desire office.

It must be confessed, that two antagonistic parties, on so momentous a subject as American Slavery, but who *both* agree that, so far as *their* action is concerned, not a single Slave is to be released, nor a single rood of Slave-soil reclaimed to freedom, are in rather a singular position! The party desiring to make a change in the administration, should present, as truth and humanity demand, a more bold and determined issue than even the question of freedom in Kansas; especially when it seems so difficult to understand how an administration is to secure freedom to Kansas without disturbing Slavery in Missouri. It may be a fault of our citizens (but the fact is to be recognized) that they are much in the habit of demanding *how* and *whether* a proposed measure can be accomplished, before they enlist in a political revolution for the purpose of effecting it. As "practical business men," politicians should look such a fact in the face. After an eighty years' failure in attempting non-extension without abolition, the problem demands marked attention. The solution should, at the least, be worked out on paper, instead of being taken for granted. If the people are to be enlisted in any further efforts, they must be convinced that they are feasible. To lay out work for limiting the ravages of a conflagration, under a pledge to throw no water upon the fire where it is already raging, may not, perhaps, be the best way of rousing the citizens to action, though it may be true that many of them would choose to be excused from working the engines.

Such are some of the considerations that may suggest the possible increase of the number of votes polled for the Republican candidates, had that party avowed the purpose of Abolition, instead of disclaiming it. It was an unfortunate disclaimer—difficult to be believed without discrediting their love of freedom—difficult to be disbelieved without impeaching their truthfulness. All

the odium of being an Abolition party, attached to the Republican party, because it disputed the supremacy of the Slave-power.* The affectionate confidence and enthusiastic support due to a thorough and out-spoken Abolition party, it could not command, to counterbalance the disadvantage. Its disclaimers could neither disarm its enemies, nor satisfy the selfishly cautious and wary. They were effectual only to cut the sinews of its own strength, and disarm and discourage its best and most self-denying friends. All over the Free States, there were scattered and isolated Abolitionists, whose tireless and gratuitous labors in their respective neighborhoods would have infused new life into the canvass, but for the ungracious disclaimer—but who could now rally only strength enough, with conscientious qualms and misgivings, to cast their own solitary, hesitating votes. High over these there was ONE, who is called in the Scriptures, “THE REFUGE OF THE OPPRESSED,” who regarded that disclaimer as an affront to Himself, in the persons of his outcast and despised ones, whom He cherishes as the apple of his eye. In His hands are the hearts and the destinies of all. The party that would contend, successfully, against “the aggressions of the Slave-power,” must enlist Him. “He that stoppeth his ear at the cry of the poor, shall cry himself and not be heard”—is one of the inexorable laws of His administration.

There is nothing improbable, then, in the supposition, that an increase of votes, and even a majority over their opponents, might have been secured by the Republican party, had they boldly and consistently taken the position of radical Abolitionists, making aggressive assaults against Slavery, instead of acting on the defensive. An additional confirmation of this may be found in the well-known fact, almost everywhere noticed and commented upon, that the masses of the Republican party are far ahead of their leaders—that disclaimers of Abolitionism, in public speeches of Republicans, are commonly received coldly, or have been greeted with but feeble responses; while the strongest expressions against Slavery, and of a determination to wage against it an aggressive and un-

* Some of the Republican editors, since their defeat, have noticed the fact, and have complained, that all their disclaimers of Abolition, and their pledges to let Slavery alone in the States, have had no effect to disarm the opposition of their opponents, or to win over proselytes from their ranks. “Although our platform” (say they) “guarantied the most *sacred* protection to the slaveholder, who had acquired property under the Constitution, our offers were rejected. The South did not believe us, and of course, went with the party that had been tried, and that had been found reliable.” The President’s Message, and the speeches in Congress concerning it, contain ample proofs of the truth of this statement.

compromising warfare, whenever those sentiments have been uttered, have been hailed with the most enthusiastic applause. Had the Pittsburg and Philadelphia Conventions been as distinguished for boldness and decision, as they confessedly were for timidity and caution, the response of the masses of the friends of freedom, including a majority of their country editors, would have been as prompt and as decided as it was seen to have been dilatory and hesitant. There is no calculating the difference between the two states of feeling in public exigencies like these.

But suppose it to be otherwise. Be it so, for the argument's sake, that the adoption of a higher standard would have been followed by a defeat. What then? The party has sustained a defeat, now. The cautiousness of its leaders has not prevented that result. And a defeat on a thorough, radical Abolition issue would have been no worse than a defeat upon the lower issue of freedom for Kansas. *It would not have been half as bad.* More than this might be said. A victory would have been involved in such a defeat, even with a reduction of many thousands of votes.

Let it be supposed, for illustration, that the Pittsburg and Philadelphia Conventions had erected for their platform the Federal Abolition of Slavery in the States; suppose they had nominated candidates to correspond with *that* platform; let it be conceded that, under that bold platform, sustained by the same leaders, heralded by the same editors, and advocated by the same orators, the number of their votes cast at the election, instead of being increased, as perhaps they might have been, would have been diminished to one half their present number. Who does not see that *such* a defeat, on *SUCH AN ISSUE*, would have been a vast gain over the defeat that has had to be encountered, now? Nay—that it would have been a victory? A more glorious and more important victory than would have been gained by carrying the late election upon the present Republican platform? Would it not have been worth more to Kansas? Who believes that a Democratic Administration—either by Pierce or Buchanan—directed by the Slave-power, would dare to lay a finger upon freedom, or upon the free settlers in Kansas, if such a vote towards the abolition of Slavery were hanging over their heads, or rolling up steadily before them? Who doubts that, instead of planning new aggressions, as they now do, even threatening to reopen, by Federal authority, the African Slave-trade, and to establish Slavery in Nicaragua, they would have been thrown back again upon the defensive, quite ready to propose a compromise that should leave them

in their present condition? Were such a bargain, on our part, admissible, (as it is not,) what better or other method could be devised for securing it, than to place the Slave-power in a position to clutch greedily, for the chance of it?

However invincible the 347,000 slaveholders may be, under the "Republican" pledge of security from the interference of Abolitionists, that petty handful of tyrants would tremble like Belshazzar, were one half the late Presidential Republican vote, a vote for their direct overthrow. Such a vote, in 1856, would have been the sure presage of complete triumph in 1860. One half, nay, two thirds of the late Republican vote might have been spared, with an indefinite increase of Republican strength, to-day. No sagacious and impartial politician will deny this. With such a vote upon such a platform, the Slavery question, in America, might have been regarded to-day, as being prospectively settled. The "price of negroes" in Virginia would, ere this, have declined, and the free settlers in Kansas would have been basking in the sunlight of hope.

Neither the fears nor the consciences of the slaveholders are likely to be effectually reached by any array of Northern votes at the ballot-box, so long as those votes are cast upon a platform that concedes the Constitutional duty of protection to Slavery where it already exists, recognizes distinctions of color, and appeals to anti-Christian prejudice by declaring itself to be "the party of the white man."

As an illustration of this, we present an extract from the speech of Ex-Governor Floyd, of Virginia, delivered in New-York City, as reported in the *New-York Times*, of October 3d. This speech was understood to have been designed to counteract the previous speech of Mr. Banks, who had distinctly appealed to the *white* race, as a class. Perceiving, no doubt, the incongruity of this with "Republican" declamations against the extension of Slavery, founded on its despotism and barbarity, yet coupled with disclaimers of any intention to interfere with it in the States, Gov. Floyd said:

"If they have in contemplation a practical policy, *why not avow it distinctly?* Is it the amelioration of the condition of the African race? Why not say what they

* Since this paragraph was written, the slaveholders in Congress and elsewhere, have "backed down" in respect to the revival of the African slave-trade. And the reason of it is quite apparent. It was the fruit of a general panic among the slaveholders, arising from the apprehension that "Republicans" were becoming "Radical Abolitionists"! When the panic shall have subsided, (as, under superabundant "Republican" disclaimers it is likely to do,) the slaveholders will naturally settle back again to their old level, unless the "Radicals" shall show themselves strong in the field.

propose, what they desire? Let me, as a Southern man, offer a suggestion: these friends of the negro race, if sincere in their professions, have a duty to perform to the race. When they shall take practical steps to elevate the race, we will believe in their honesty and sincerity. We must be excused from believing—the world must be excused from believing—in their sincerity, until their avowed policy proposes some amelioration of the black man's condition. Let them begin with the free black man. Why did this 'Free soil, free speech, free men' party exclude the colored man forever from free Kansas? After all, do these philanthropists not consider the African to be a 'MAN?' If otherwise, why exclude him from the soil 'consecrated to Freedom,' as they have done by the Topeka proceedings? This looks like a deception and a cheat. But if they be honest, let the experiment be made of elevating the black man to an equality with the white. Why do they not propose to take off the galling disabilities under which public opinion has placed this race? Can they not declare that the negro man shall be admitted to the professions, to the Legislature, to the parlors, to the hearthstone? If this is done, mankind will believe in their sincerity. Until then, there must be doubt. But if public opinion in the 'Free States' is not yet prepared for this, why not give these people a trial through the means of the African Colonization Society? Virginia gives thirty thousand dollars a year to this enterprise. What do the 'friends of Freedom' give? A small percentage of the money expended in Sharp's rifles for bleeding Kansas, would presently demonstrate the capability of the negro man for self-government in Africa—if he is capable. But probably this course would not affect materially the Presidential election, and that no doubt is the chief object with our philanthropic friends."

Gov. Floyd evidently intimated that their exclusion of free colored men from the Territories, betrayed the hollowness of all their pretensions to moral principle and philanthropy, and could not exemplify a higher principle than that of selfishness—the principle of expatriation so extensively patronized by the slaveholders. And he could not be made to believe that there was any honest, conscientious opposition to Slavery in the hearts of those who occupied such a position. Yet Gov. Floyd's just rebuke was eagerly circulated by "Republican" journals, in confirmation of their abundant disclaimers of affinity with Abolition. They seemed not to have felt the force of the rebuke, nor to have understood how their position in this respect, strengthened the slavery party, at the North as well as at the South, while it tended, almost resistlessly, to neutralize the force of all those eloquent appeals, lectures, sermons, and speeches, whether by clergymen or politicians, on which their cause had mainly to rely, and which constituted the chief element of their strength, with the masses of the people. Anti-Slavery appeals must, of necessity, lose the greater part of their force, when placed in companionship with proscription of the oppressed race, and disclaimers of Abolitionism. To suppose otherwise, would be to ignore the connection between moral cause and effect, or to doubt whether man is gifted with moral discernment and reason.

Of the precise extent to which this lamentable error in the Republican leaders obtained, it would be difficult to say. We have already noticed its prominence in the Republican Platform, in the letter of its Presidential candidate, in its chief political speakers, and in its political press. It would be easy to multiply illustrations from such sources, to any desired extent, if we could spare room. It only remains to give a specimen from the religious press, and from certain theological supporters of the new party. We can not better do this than by making an extract from an article in the *New-York Independent*, of October 16, under the head of "*The Voice of a Conservative*," in which the editor says:

"But in Connecticut, one profound and sagacious logician, a venerable theologian, one of those 'Nestors' among ministers of the Gospel whom the *Journal of Commerce*, a few years ago, dishonored with its commendation, has spoken out for the special benefit of such men. His 'thoughts,' as printed for local distribution in his own State, are before us. We would gladly republish the whole, if there were time and space for their publication in this sheet. We give all that we can."

The first of these quotations is devoted to a statement concerning the Democratic party, so called. And he says they seem to have been frightened into a support of "Border Ruffianism" by a belief that "the Abolitionists, so called, have become a great and dangerous party." The "venerable" writer then proceeds:

"I now ask: WHO GAVE THIS FEARFUL POWER TO ABOLITIONISM? Who? The Whig party? No, not they. True, old, conservative Whiggery, like that of Clay and Webster, never gave to Abolitionism one particle of its power. The abolition of Slavery never was a doctrine of the Whig party. Its doctrine was, *Slavery at the will of each sovereign State, but no further*. Whiggery and Abolitionism had no fellowship. They were political adversaries. Besides, when the so called Abolitionism began to have, or to be supposed to have, power, *politically*, and thus to become formidable, the Whig party was dead. It had been killed chiefly by its own folly, in not maintaining its own entirety, and in not giving prominence, as the exigency demanded, to the doctrine common to itself and to the Democracy—THE NON-EXTENSION OF SLAVERY."

The writer (says the *Independent*) "holds that true Whigs are now, as they always were, opposed to the extension of Slavery." The Republican party, he understands, occupies the same ground, and thus he appeals in its behalf:

"Friends of a common country!—a question for all honest men—shall the evils we feel be terminated—shall the sorer calamities we fear, be averted? Then, whether Whigs or Democrats—by whatever name you are called—renounce, condemn, resist the doctrine of *Extension*. Vote for a President who will not disturb Slavery where it is, but will stay every step of its progress. Thus meet the great exigency of your distracted, afflicted country. Thus stand on the broad but single plank of the Republican platform. Thus unite the honest men and true patriots.

Thus, as the only means and method, give Abolitionism *proper*, so profound a burial, that it shall trouble and disturb no more. Thus concede to each sovereign State the right to regulate its domestic institutions as guaranteed by the Constitution and the principles of comity between sister States. Thus restore the harmony of former days to our happy Union. Thus save this great people whom the God of our fathers will delight to bless."

The people are thus taught by "the venerable Theologian," that the blessing of "the God of our fathers" is to be secured—not by "breaking every yoke, and letting the oppressed go free"—not by "executing justice between a man and his neighbor"—not by "proclaiming liberty throughout all the land, unto all the inhabitants thereof"—but by "the single plank of the Republican platform"—namely—not "to disturb Slavery where it is," but "stay every step of its progress," and "give Abolition *proper*, so profound a burial, that it shall trouble and disturb no more," and "thus restore the harmony of former days to our Union"—when no agitation against Slavery existed among those who enjoyed their own freedom! In what portion of his Bible this "oldest living Professor in Theology in the United States—the oldest Professor of any Theological Seminary"—discovered this national remedy for the national sin of oppression, we are not informed—nor from what School of Ethics such political maxims are derived, unless it be from that which, a number of years since, supported the Presidential nominee of the Whig party by advising Christian citizens to "vote for the lesser devil of the two." From the theological and literary position ascribed to him by the *Independent*, and from his location in Connecticut, and his allusions to a public meeting in "New-Haven," the identity of the "Voice" may be inferred.

Not less remarkable is the Editorial with which these extracts are accompanied. Says the *Independent*:

"Thus does the oldest living Professor of Theology in the United States—the oldest Professor in any Theological Seminary—appeal to the patriotism of the whole country in this great crisis of our history. What he calls 'Abolitionism proper,' is, in a just and reasonable use of words, Abolitionism most improper. Mr. Garrison, Mr. Wendell Phillips, and others of that sort, who either deny all Government, or denounce the Constitution as a pro-Slavery compact, and who oppose the election of Mr. Fremont, because it will relieve and pacify the public mind—the self-styled Radical Abolitionists, on the other hand, who hold that Slavery is abolished already in all the States by the Federal Constitution, and therefore insist on throwing away their votes in this hour of their country's direct peril—all who exhaust themselves in speculative agitations, and refuse to do any thing practical or tangible against the extension of Slavery—are Abolitionists in no good sense, and therefore are not 'Abolitionists proper.' But if the venerable Professor sees fit to call them so, we will not quarrel with him for the dishonor put on the names of

Franklin, of Jay, of Stiles, of Hopkins, of Clarkson, and of Wilberforce. Rather do we thank him for this appeal, and thank God who has given him grace to make it."

Did the learned editor of the New-York *Independent* intend to have his readers believe, that Franklin, Jay, Stiles, Hopkins, Clarkson, and Wilberforce,* labored only "against the *extension* of Slavery;" and that, like the late Whig party, "the *abolition* of Slavery was never their doctrine;" and that they "would never disturb Slavery where it is"? In what page of their writings, on what page of history, will he find proof of *that*? Will the history of the abolition of Slavery in our Northern States, or in the British West-Indies corroborate such a statement? Or can it be shown that those results were secured by the potency of mere "non-extension"? Or, that "there is nothing practical nor tangible" in Abolition? In the use of what Lexicon will he justify his assertion that *that* is "Abolitionism most improper," which demands the abolition of Slavery, rather than its mere "non-extension"? When "Radical Abolitionists" maintain (what no man living can gainsay) that the Federal Constitution clothes our National Gov-

* "Franklin, Jay, Stiles, and Hopkins," like modern Abolitionists, knew how to oppose the *extension* of Slavery, without pledging themselves against the *abolition* of Slavery. But some of them erred, as did Clarkson and Wilberforce, in supposing that the abolition of the African slave-trade would do away Slavery. Clarkson lived long enough to see and lament his error. His *later* efforts were directed to the immediate abolition of West-India Slavery, by proving (as "Radical Abolitionists" in America now do) that negro Slavery in the British Colonies, had always been illegal, and was totally unsupported by any valid law. As *we* say that the Federal Constitution and the Declaration of Independence are sufficient authority for abolishing Slavery, so he said the same (as *we* also do) of the British Constitution, Common Law, and Magna Charta. This was "the speculative agitation" that abolished Slavery in the British West-Indies. Granville Sharpe (whom the *Independent* does not name) had previously, by the same "speculative agitation," abolished Slavery in England. And he had the sagacity to foresee and predict, that all efforts for abolishing the African slave-trade, disconnected with efforts for abolishing Slavery itself, would prove abortive. [This was verified by the British Parliament, in 1845, up to which time the slave-trade had doubled, instead of decreasing.] Hopkins, whom the *Independent* thinks is "*dishonored*" by being named in company with modern Abolitionists, is the earliest "immediate Abolitionist" on record, as his writings and his stringent Church discipline of slaveholders attest. Dr. Edwards and John Wesley were equally "radical" in their Abolitionism. But these also, as well as Granville Sharpe, are omitted from the *Independent's* list of "honored names"—though "Franklin, Jay, Stiles, and Hopkins" were not ashamed of them. It would be well if the successors of such ministers, instead of "garnishing their sepulchres," could emulate their manliness, and "honor" their principles.

ernment with ample powers to abolish Slavery, does he consider it Christian-like to ridicule them as absurdly seeking to do over again what has already been done, because they ask that those Constitutional powers shall be exercised? And when God bids them vote for "just men," who will "execute justice for all the oppressed," did he think to deter them from obedience by the fear of "casting away their votes"? Can he show them how they could have avoided "casting away their votes," by voting for an equally unsuccessful candidate, who was pledged *not* to do what God explicitly requires to be done? Is there no way for Abolitionists to "save their votes" but by casting them with those whose spirit and aims are here expressed in the *New-York Independent*?

If the Professors of Theology, and if the reputedly anti-slavery religious editors supporting the Republican party, are represented truthfully in these extracts, and if the political ethics of the party rise no higher than its theological standard, the vigilant friends of liberty and abolition, in this and other lands, will judge—posterity will judge—how much has been lost to the slave, to humanity, to true religion, by the failure of the "Republican" party of 1856, to elect its candidates.

WHAT WOULD HAVE BEEN GAINED BY A VICTORY ON THE REPUBLICAN PLATFORM?

Some further light on this question, may perhaps be gathered from such editorials in the Republican journals, as the following, which we copy from the *New-York Times* of November 11, a few days after the results of the election had transpired. The extract is taken from a leader, entitled, "*English Press on American Affairs.*" The *Times* is commenting upon an article in "the *London Morning Post*, of a recent date," respecting our Presidential election, and anticipating "internal feuds" and "violent conflicts between the Legislature and the Executive, whichever candidate may succeed." To which the *New-York Times* replies:

"The *Morning Post* has probably learned before this, that our October preliminary elections fixed the character of the next Congress, to come in with the new President, and that in the event of Mr. BUCHANAN'S success, himself a Northern man, he will be sure to have the support and counsel of a large party in the House of Representatives, as in the Senate, from the Northern States, directly from the people. And that in the opposite event of Col. FREMONT'S election, his first purpose would be so to conduct his administration as to conciliate the Southern party in Congress, backed as they will be by forty-five or fifty members from the

great Middle and North-Western States, so far as it would enable him to conserve the material interests of the whole country, and to preserve if possible, from further sectional violence the workings of our free institutions."

Undoubtedly it would be proper and wise for any President to preserve the country from "sectional violence." But the way in which the *Times* assumes that Col. Fremont would have effected this, deserves our attention. He would have done this by making it *his first object to conciliate the Southern party in Congress*, and this would be effected by the measures of his administration. The same idea had been thrown out, before the election, by the *New-York Herald*, and other Republican journals. "The South will be astonished," said they, "the South will be satisfied," "when they learn how conservative and conciliating the course of Col. Fremont's administration will be."

Now, bearing in mind that the grand point in dispute, as we have shown, is whether the Federal Government shall protect the right of slaveholders to carry their slaves both into the Territories or into the States, wheresoever they please, bearing in mind that Col. Fremont and his platform and his party are as thoroughly committed to the doctrine of the Federal protection of slave property in the slave States as Mr. Buchanan and his party can possibly be, bearing in mind that the original Republican doctrine of Federal prohibition of Slavery in the Territories, including Kansas, has been virtually given up in the later utterances of the Republican party, particularly in the Wall-street speech of Mr. Banks, not dissented from by Republican editors; bearing in mind also the vote of the House on Mr. Dunn's bill, and on the Army bill—bearing in mind all this, the question arises: In what manner could Col. Fremont, if he had been elected President, have shaped his administration as to *conciliate* the Southern party in Congress—the party of Border Ruffianism, the party of Preston S. Brooks, the party of his admiring constituents, the party that, even at the North, jeers at the sufferings of "bleeding Kansas," and that censures Sumner almost as much as it does Bully Brooks—the party that (in the case of Hon. John Cadwallader, of Pennsylvania) lauds "the praiseworthy legislation of 1854," described by him, truly, as "giving the slaveholders access to the Territories (of Kansas and Nebraska) with their slaves" ?

Yes! how, or by what further concessions could the administration of Col. Fremont have conciliated "this Southern party in Congress" without giving up *all* that the Republican party was organized to secure? Mr. Banks had already conceded (and the *Tribune* and the *Times* had not demurred) that "Kansas" was to

be "restored to freedom without legislative act or the interference, at the hand of government, in any way"—that "no legislation is required, and it is not necessary that the halls of Congress should be again opened to agitation," but that "the people of the Territory should settle the question of Slavery for themselves, there." In other words, Freedom and Slavery, in the Territories, should receive equal protection—a thing impossible for any President to carry out, in practice. But, would the speech of Mr. Banks "conciliate the Southern party in Congress"? Did it conciliate Gov. Floyd? Or even the *New-York Journal of Commerce*? How then could a Republican administration have conciliated them, *but by yielding to the slaveholders their right to carry their slaves wherever they please?*

We suggest no impeachment of the integrity of Col. Fremont. It was the *New-York Times* that suggested his powers of conciliation. It would have needed no seer to predict that in such an embarrassing situation, he would have been urged by the leaders of his own party, including such statesmen as Mr. Banks, to go as far as possible in order to conciliate the South. And it would have been a situation involving great danger. We say not that, as President, Col. Fremont and his advisers would not have stood as firm for liberty as any other men living could do, attempting to stand on the Republican platform, and sliding from it no farther than its sidling position and slippery nature would inevitably compel them to do. They would doubtless have done all that, with *their* Constitutional theories, they were able to do. The question is, how, or whether, it could have been of any substantial benefit to the cause of Freedom?

In order to accomplish great and good ends, there must be not only laudable aims, but wise counsels. And public councils are wise in exact proportion to the inflexibility of the grasp with which they fasten themselves to the great moral laws by which God governs the world. When the platform of a political party or administration is too narrow to embrace *these*, it would be strange if it did not prove too narrow to meet the exigencies of a great nation, especially in times like the present. So long as God's Constitution of Government requires the protection of personal liberty, it must be evident that no written Constitution, or constitutional theories that do not recognize that duty of the Government, can meet the *divine* demands. And the Administration that fails of doing this, fails utterly, and fatally.

Take the case now before us. The Republican party stands pledged *not* to protect the personal liberties of nearly one half of

the inhabitants of nearly one half of the States. Its views of the Constitution forbid such protection. How, then, with those views, could it protect the liberties of the "free settlers" in Kansas? Suppose the Administration inaugurated, with a working majority of both Houses. How would it go at work? And how would the work be accomplished?

The most feasible thing we can think of, is that of admitting Kansas as a free State, under its Constitution formed at Topeka. The House of Representatives, as before noticed, once passed a bill to that effect. But did it "conciliate the Southern party in Congress"? Far otherwise. It was almost kicked out of the Senate. Very evidently this plan would fail of securing the pacification promised in the *New-York Times*. A Republican Senate might however pass it, and the Republican President might sign it. But it would be likely to need strong Executive measures to enforce it. And would not *that* be a precedent of Federal interference with the Slavery question in a "sovereign State"? A practical solution of the puzzling question how "the United States" can "guaranty to every State in this Union a Republican form of Government"? If this could be done in *one* State, why not in *another*? A majority (it may be said) of the people of Kansas would desire it. Perhaps a majority of the people of some of the other States, would desire the same. And perhaps the "Republican" party would be ready to "go ahead." Success to it, then, say we, whatever might become of its "platform" and of its disclaimers.

But, what other course could a Republican administration take? Would it *legislate* Slavery out of the Territory? This was understood to have been a part of the platform, at the beginning. But, if Mr. Banks' speech, not dissented from, may be regarded a truthful exponent of the party, that plank belongs not to the platform, now. For months past, and before the speech of Mr. Banks, we have not heard it affirmed.* But why should it have been laid

* It is proper to mention that since this was written, some of the Republican Members of Congress have reaffirmed their original doctrine. Whether the same policy that led to its virtual repudiation, during the latter part of the canvass, would have been retained as a means of "conciliating the Southern party in Congress," had the Republicans gained the election, is more than we can undertake to determine. It is obvious that a President coming in with a strong Northern vote against the united South, would have been likely to feel a necessity of conciliating the South, just as a President coming in with a strong Southern vote against the North, would feel the necessity of conciliating the North. It is nothing to the discredit of Fremont, nor the credit of Buchanan, to notice that circumstances would naturally place them in these different positions.

aside? Public discussion, and the tide of public sentiment, under that discussion, was turning strongly against it. The right to legislate Slavery out of the Territories, was found to be repudiated by the same principle that denies the right to legislate Slavery out of the States. Thus the "Democrats" have voted. Thus too the "American" party has voted. And thus the leading "Republicans" have virtually conceded. By its silence, the party assents. How then could the Republican party, if in power, stand up against the sentiment? IDEAS, not parties, not Presidents. not Cabinets, control public measures.

But suppose a Republican administration *should*, by legislation, exclude Slavery from the Territory. If a majority of the people *desired* Slavery, they could change their Constitution and allow Slavery, so soon as the Territory is admitted as a State. The "Free-State" men of Kansas would then come under the iron slave Code, and the Republican administration, with its IDEA of the Constitution, and of National responsibilities, can not relieve them.*

Both parties varied their tone in different localities, and according to the supposed necessities of the contest. Thus the doctrine of Mr. Banks, was adapted to Wall street, but a different one was needed for the interior districts. The "Democratic" appeals, at the South, were of the highest tone of pro-Slavery propagandism; while at the North, particularly in the rural districts, all this was disclaimed, and the support of Mr. Buchanan was advocated on the ground that he was in favor of freedom in Kansas. The rejection of both Pierce and Douglas, at the Cincinnati Convention, favored this pretension. Toward the close of the campaign, while the Republican party seemed to be lowering its standard, the "Democratic" party, at the North, *seemed* to be raising theirs. As the "Republicans" lost votes by *their* changed tone, so the "Democrats" gained votes by *theirs*. It was currently believed, in the "Democratic" ranks at the North, that Pierce and Douglass had been thrown overboard for their rampant pro-Slaveryism, and that Buchanan would pursue a different policy.

As these well-known facts would naturally tend to moderate the pro-Slaveryism of the "Democratic" party when successful, so the known fact that the "Republican" party had lowered its tone before the election, would have naturally tended to prevent it from taking a higher stand afterwards, in case it had succeeded at the election.

* It has been suggested to the writer that this danger might be averted by inserting in the act of admission, a clause providing that if the State should afterwards establish slavery, it should cease to be any longer a member of the Federal Union. The answer is, that neither the "*Democratic*" or the "*Republican*" ideas of the Constitution, admit of any such proviso, or would vindicate its binding force. The "Democrats" deny the constitutionality of the Missouri restriction, and of the ordinance of 1787 for the North-Western Territory. Of course they would deny the constitutionality of this proposed proviso. The "Republicans" maintain the validity of the restriction for *Territories*, but do not dare to say that it can be en-

Would a Republican administration protect the "Free State" men in Kansas by securing them a chance to vote? And by protecting them against the "Border Ruffians"? Suppose they *should* do this, and after all, the "Free State" men should be outnumbered? Then, again, they would come under the Slave Code, and the Republican administration, on its own theories, could not protect them, after they were once admitted as a State.

But if the "Free State" men, being thus protected, should prove to be a majority, then, while *remaining* a majority, they would no longer need Federal protection. Whenever they should become a *minority* they would come under the Slavery oligarchy, and a "Republican" administration, on its theory of the Constitution, could not help them. But it is minorities rather than majorities—the weak, rather than the strong, that *need* the National protection. A National Government that can only protect *majorities*, could seldom or never be of any benefit to Freedom, either in the States or Territories. If a despotic majority, in a State or Territory, must alone enjoy National protection, then a National Government becomes a despot, instead of a protector.*

forced upon *States*. The broad distinction they make between States and Territories forbids them to say so. Missouri was admitted on a condition which has been violated, but no "Republican" moves for its ejection from the Union. "Republicans" do not hold that the Constitution gives Congress any power over slavery in the States, and if the *Constitution* does not, no act of *Congress*, under the Constitution could do so. The acceptance of the condition by the new State would not give it validity, if the condition itself were unconstitutional.

And besides, the "Republican" theory, equally at least with the "Democratic," admits of no Federal power to enforce upon the States a compliance with their political compacts. On this ground, "Republicans" have maintained that although (as they say) the States are constitutionally bound to return fugitive slaves, yet the Federal Government has no power to enforce it. If then, the compact of a State, contained in its ratification of the Constitution, gives Congress no power to enforce its observance, how could Congress enforce the observance of a compact *not* contained in the Constitution nor contemplated by it?

Finally, the Constitution itself, as it stands, contains prohibitions of slavery in the States, and contains provisions for Federal action against it, altogether more available than any that could be incorporated in such a proviso, to an act admitting a new State, for it says: "No State shall pass any bill of attainder, or ex post facto law, or law impairing the obligations of contracts, or grant any title of nobility." "No person shall be deprived of liberty without due process of law." And "the United States shall guaranty to every State in this Union, a republican form of government." If *these Constitutional* provisions do not enable Congress to put down slavery in a State, assuredly no act of Congress, *outside* of the Constitution could do it. So that "Republicans" would have to go *outside* of their own theories in order to secure any new State against slavery.

* In all the preceding argument, and in what follows, we do not deny the possible admission of Kansas as a free State, either under Fremont or Buchanan. Nor

Again. It is evident that if the National Government, under a Republican administration, did not, by legislation, or by Executive interference, *exclude* Slavery from Kansas, then the very best it could possibly do, would be to keep an even balance on the maxim of "hands off," and let the settlers, as Mr. Banks proposes, settle the question among themselves. With this might possibly be connected the function of supervision as well as protection, the administration providing umpires to determine who may and who may not vote. No mere paper enactment, prescribing the qualifications of voters, would answer the purpose. There must be well-armed and trusty functionaries, at every voting rendezvous, on election-day, to execute the enactment, or the executive order. And these functionaries must determine, in the case of each one whose vote may be challenged, whether he is or is not entitled to vote. In the absence of this, the voting would, very probably, be determined by the contending force of armed voters, or the settlers would be liable to be driven away, as before.

[If you say the Federal administration could abdicate its control over the Territory, and leave the free settlers to take care of themselves, then you go back to "Squatter Sovereignty" with a vengeance, and claim the credit of delivering Kansas, by doing nothing at all.]

But how could an adequate and impartial statute or order be shaped? Impartial between Slavery and Freedom? And how, or by whom, could it be impartially and successfully executed—yet so as to secure freedom—or even an equal chance for freedom? The proximity of Missouri would enable her inhabitants to determine the question, if a short residence entitles to the franchise? If the term be extended, the annoying presence of the ruffians is prolonged, and the time extended for their assembling.

The Missourian claims to have come as a settler. The Free State man does the same. If the one be received, so must the other. If the one be excluded, so must the other. In any con-

do we say that there was no difference between them. Kansas may come in, a free State, as the Democrats and as N. P. Banks predicted, "*without any action of Congress.*" It may come in, by the preponderance of free settlers, and their superior industry and enterprise. Our argument only goes to show the difficulties in the way of a Congressional and Executive guaranty of freedom in Kansas, according to the Republican platform, which denies Federal authority over slavery in the States. None of these difficulties could, for one moment, embarrass an administration of "Radical Abolitionists," who all understand that the National Government, like all other civil governments, is bound to protect personal liberty, and that no civil government (State, National, or Territorial) can have any right to maintain or to tolerate slaveholding.

ceivable case, the issue becomes a game of fraud or chance, or a struggle of journeyings and of physical endurance. The possible success of liberty only remains. The protection of a "Republican" administration ends here. It can not exclude Slavery from the *Territory*, an embryo State, because it can not prohibit Slavery in a *State* at maturity.

There is a further difficulty in the case. If the Republican administration gives up (as does Mr. Banks) the idea of a Federal *exclusion* of Slavery from the Territory, while remaining a Territory, and while it is forming itself into a State, then the Republican administration, impliedly and virtually *admits* Slavery into the Territory during the same period. It must either exclude, or it must admit slaveholders with their slaves. No imaginary or attempted neutrality can help this. If it excludes them, then the Republican administration decides the case *against* Slavery, and the plan of Mr. Banks is abandoned. The slaveholder is then excluded. How then, or to what purpose, can he be allowed to vote ?

But, if the administration *admits* slaveholders with their slaves, then the administration decides in favor of Slavery, and casts a strong if not a controlling influence against freedom. A Republican administration, like every other administration, including that of Mr. Pierce, would have to do one thing or the other. It must either exclude or admit slaveholders with their slaves. In admitting them, the Cincinnati Democratic platform, as expounded by Mr. Ritchie, of the *Richmond Enquirer*, becomes, in practice, the rule. The national administration (whether called Democratic or Republican, whether under Buchanan or Fremont) protects the right of slaveholders to slave "property" in the Territory, *unless it excludes* such property. If protected in the Territory, it must be protected when the Territory becomes a State, or else the previous Federal protection becomes a deceptive lure. The slaveholder brought his "property" with him, under assurance of Federal protection ; but if the State inaugurated under such Federal supervision, can "rob him of his property" by its first act, as a State, the previous promise of Federal protection was a sham.

An administration that could recognize "property in man" *anywhere*, would find an almost insuperable difficulty, here, however averse to establishing Slavery in a free State. But how else could the "national faith" be kept sacred ? and the "honor" of the administration be redeemed ? How shall they dispose of the dilemma ? A little paltering, here, and a few missing votes, and the very last

screw of the Cincinnati platform is effectually turned. Kansas becomes the first example of a State, with a Constitution, it may be, or a statute, excluding Slavery, in which slave-property is nevertheless protected by the Federal arm. And all has been done so naturally and quietly that nobody who recognizes the legality of Slavery, *anywhere*, could very readily put his finger upon the fatal link of the chain. Is it quite certain that the "Republican" platform, as Mr. Banks constructs it, and as the "TRIBUNE" and the "TIMES" gave it unquestioned favor, would keep their feet out of the trap? If "the first purpose" of the Republican President, (as the "TIMES" says,) would have been "so to conduct his administration, as to conciliate the Southern party in Congress," could he have begun by *excluding* Slavery and slaves from Kansas? Failing to do this, could his administration have secured *liberty* for Kansas, as the majority of his supporters have intended by their votes? The question is not concerning his preferences, his intentions, or his determinations—but simply whether, with the platform of principles adopted by himself and his party, and as already modified by them, he could have given those determinations effect? *All* men, and most of all, public functionaries, find their wishes controlled by the prevailing IDEAS identified with their history, their position, and their associates. We may give full credit to Col. Fremont for all the excellent qualities that his most admiring friends attribute to him, and yet question his ability to overcome obstacles like these. Can a man receive fire into his bosom, and not be burned? Then may a President admit the legality of Slavery, and yet maintain freedom. It is hardly to be expected of a President that he should go beyond or against the platform and the party to which he owed his election, and to which he is still indebted for support. When James Buchanan announced himself to be no longer himself but the platform of his party, he was singular only in giving expression to a sentiment commonly concealed, even from themselves, by aspirants to high stations.

Connected, closely, with this last view, is another, which demands attention. The administration of President Pierce has incurred the just reprobation of the civilized world, (his own interested and prejudiced partisans excepted,) for the aid and comfort he has extended to the Russian Invaders of Kansas. And yet, the proper grounds of this condemnation are not, perhaps, as well settled, at least in this country, as the importance of the subject demands. The theory of the Constitution commonly current in this country, places the National Government in the position of an im-

partial and equal protector of SLAVERY and of FREEDOM! The irreconcilable antagonism between the two functions is almost universally overlooked! It is taken for granted that a Federal administration is bound *and is able* to keep an even balance between them! It never occurs to most minds that the function of protecting men's liberties includes, of necessity, the function of eradicating tyranny, and of casting down tyrants. Still less do they dream that immunity and toleration to tyrants, on the part of the Government, necessitates the protection and aid of them in their tyranny. When it was found that the Federal forces were employed to drive out the free settlers of Kansas, or to obstruct the proper exercise of their freedom—and that those forces were swelled by accessions from the lawless and murderous banditti of invading slaveholders, the whole country, north of Mason and Dixon's line (with the exception already noticed) stood aghast at the exhibition. But very few seemed to have understood that, under the circumstances of the case, and considering the pressure coming upon the President from opposite quarters, the exhibition was one of the most natural and inevitable that could have been imagined—that an administration *not* pledged to *protect* Liberty in Kansas, was, of necessity, pledged, virtually, to *uproot* Liberty in Kansas! The crime imputed to the administration was merely that it failed to protect the "free State" men, and, instead of this, took the part of the aggressors, against them. Further than this, the censure has not gone. No voice of astonishment or of indignation has been raised against the administration because it did not at once proclaim Freedom in Kansas, and put down, with a strong hand, all attempts to plant Slavery upon the ruins of freedom. *Such* a course, from the existing administration, might have elicited expressions of alarm, even from Republicans, Free Soilers, and perhaps from some Abolitionists, lest the Government should have been overstepping its Constitutional boundaries, becoming "consolidated," or invading the rights of the Territory, or of the neighboring States! So little did men understand that there were only two ways for the administration of Mr. Pierce, or of any other President (whether Whig, Democrat, or Republican)—no other alternative for selection, to wit, either the protection of Freedom against Slavery, or else the protection of Slavery against Freedom—the driving out or "crushing out" of free settlers, or a similar visitation upon the invaders. It was not seen that if President Pierce were not prepared for the latter, he had no choice left him but to yield his assent to the former. Up to the present moment, the multitudes who so justly condemn President

Pierce, do not see this. They imagine that he might have found some middle course between such extremes. They will tell you that Slavery and Freedom *have* lived together, under our National Government, thus far, without involving any administration in their quarrels. They forget that Slavery has uniformly governed hitherto, and that there has been peace—falsely so called—only because Liberty has slept, dormant. They forget that the case has now changed, because Liberty has begun to resist, because issues, long delayed, have now come up for decision, because the death-struggle has already commenced, and because the demands of Slavery upon the National Government, which it has so long controlled, have, of necessity, become so exorbitant, that any administration must either *resist* it all, or *enforce* it all—must either wage an exterminating war with Slavery or with Freedom—not merely in Kansas, but in the entire country. Under temporary pressures, there may, indeed, be temporary reactions, temporary relaxations, and temporary respites. The struggle must nevertheless go on, until either Freedom or Slavery is vanquished.

The Nation will soon be driven to see all this. The question now is, whether the Republican party, its leaders, and its Presidential candidate, already see this. If they do, they are prepared to meet the crisis like freemen. *Then*, but not otherwise, would they have been able to fill their places, and meet the crisis, if the Presidential election had resulted in their favor. Then, but not otherwise, would "Freedom in Kansas," and in the whole country, have been secure in their keeping. To have come into power under the control of any less comprehensive *IDEA*, would well-nigh have insured disappointment and disgrace.

And this view prepares us to look at one remaining particular, in the process of liberating Kansas. It has been said, and well said, that one of the first steps to be taken by the National Government for the relief of "Free State" men in Kansas, must be the repudiation of the Slave Code imposed upon them by the Border Ruffian Legislature of the Territory. For "Free State" men to wield the suffrage under the required oath to submit to that Code, would be to give up themselves and their Territory, as its victims.

The Federal abolition of the existing Slavery in Kansas, then, is confessedly among the first steps to be taken.

And this settles the question of Federal authority over Slavery in the Territories. It settles also the propriety and the necessity of the measure in respect to Kansas.

But this upsets the expositions of Mr. Banks. "Legislation in Congress," and consequent "agitation" there, would have been

needed, unless the still bolder measure of Executive interference, without legislation, should have taken its place. The IDEA of Federal interference with Slavery would have had to be restored by Col. Fremont and his advisers, or else, confessedly, they could have done nothing for Kansas. But how could this have been done, if, as the *Times* says, "his first purpose would be so to conduct his administration as to conciliate the Southern party in Congress"? Which of the two incompatible things would have been preferred ?

Still farther. The power and duty of the Federal Government to put down the existing Slavery in Kansas, involves the power and duty of the same Government to do the same thing in other Territories, and in the States. This will be doubted. It will be said that the reason why the Federal Government has just authority to put down Slavery in Kansas, is because the Slave Code there was established, contrary to the Constitution, by invasion, by lawless violence, without the consent of the people upon whom it was imposed. But this is no more true of the Slavery in Kansas than it is of all the Slavery that exists in the States. The slave-traders invaded Africa and hunted down their victims. Their slaves were sold in the Colonies, not only without law, but in violation of law. To the present hour there is no positive law for Slavery in any one of the States. And if Slavery be unconstitutional in the Territories, it is equally so in the States. The reason given for Federal authority over Slavery in Kansas, is therefore an equal reason for its authority over Slavery in the States.

The claim of Federal authority to set aside the Slave Code of Kansas assumes the right of the Federal Government to decide whether its slavery was introduced lawfully or no. And if it may inquire into the lawfulness and Constitutionality in Kansas, it may institute the same inquiry in respect to the States. If it may decide in the one case, it may decide in the other.

If it be still imagined that there is a broad distinction between the Territories and the States in this matter, let it be remembered that the Slavery party will admit no such distinction. It insists that the two cases are parallel. The Slavery party has exercised its prerogative of defining its own claim. At this we do not demur. Nor can it complain that its opponents deal with the precise claim thus presented to them—with *that* claim, and with nothing different from it.

The claim we have seen to be, the right of property in man, under *natural*, nor *municipal law*—the right everywhere, and at all times, in the Territories, in the old States and in the new—the

right of Federal protection of slave property, wherever it may be carried, within the country, in despite of State laws. The claim is to be met, *as presented*, or it is not met at all.

But it must be met and disposed of, in some way. It must be resisted, or submitted to. The claim is pressed, and must be disposed of, one way or the other. It can not be halved. It can not be compromised.

Now what will the Republican party do with this claim? They must take it just as it stands. They must concede the whole, or they must resist the whole. The same necessity, were they in power, would rest on *them*, that has rested on the administration of Mr. *Pierce*. They must help drive Liberty out of Kansas, or they must help drive Slavery out of Kansas. Which will they do? And their decision, either way, will of necessity involve their similar decision in respect to Slavery in the States. If they decide it in the one direction, they give up Kansas to Slavery, and relinquish the enterprise of "non-extension," of "localizing" and of "limiting" Slavery, in any degree, or in any form. If they decide it in the other direction, they decide upon the Federal abolition of Slavery in all the States, or, what amounts to the same thing, the protection from chattelhood, of every human being within the United States and its possessions.

To *that* issue every political party in this country must be driven, and on that issue its decision must be made. and its platform shaped.

The party now in power was, by the fact of its being in power, compelled to define its position, *on* that issue. It has done so. And any other party coming into power will have to do the same.

Was the Republican party, at the time of the election in November, prepared for that issue! And was it ready to define its position in favor of **THE NATION'S FREEDOM**? If so, it was prepared to come into power, and to wield its power with honor. If not, its defeat may have been a providential and merciful chastisement, to teach it wisdom. It might have been a worse defeat, to have come into power under the incumbrance of disclaimers, concessions, and pledges, incompatible with the attainment of a single one of its objects.

We shall not be understood as saying that no difference of object or of purpose between the Democratic and the Republican parties is to be recognized, nor as affirming that, under conceivable circumstances, and through the good providence of God, the Republican party, had it succeeded in the late election, *might* not have been instrumental in placing the country in a better condition

than it now is, or is likely to be soon. All this lies beyond our vision. We are looking at probable operations of cause and effect, upon a party unfortunately trammelled with such a platform, and holding such IDEAS of the Constitution. We have deemed it desirable to look critically at the almost insuperable difficulties that must have interposed between its purposes and the accomplishment of them. And we have done this for the purpose of entreating its leaders and members, if they mean to remain in the field, as an organized party, to remove such needless incumbrances from their shoulders, and take up such formidable stumbling-blocks from the path of their future usefulness. The cause of human liberty can not afford to have the field they occupy lumbered up in this manner. They must clear it up, or give the room for others.

THE TRUE COURSE.

And now, having thus freely remarked upon the platforms and the policy of the Democratic and the Republican parties, we may be asked what we would substitute instead.

The answer is easy. We would have a party declaring the power and duty of Congress to abolish Slavery in the States; a party against Slavery where it already *exists*, as well as against the further extension of Slavery. We would have the opposition to the Slave Power based upon principle, and because slaveholding everywhere, is a crime that can not be legalized, instead of its being based upon policy, and because the extension of Slavery, in certain directions, is opposed to the interests of the "whites" of the Northern States! We would as distinctly affirm the unconstitutionality of Slavery in Missouri and in South-Carolina, as in Kansas and Nebraska. We would as promptly and as earnestly demand the Federal protection of black men in the slave States as the protection of white men in the free Territories. We would affirm the same Constitutional right and duty of the Federal Government to act in the one case as in the other. We would give *precedence* to Federal action against Slavery in the States, not only as being of greatest importance, but as coming first in the order of Nature, and first in point of time, and feasibility of accomplishment. By a prompt and speedy abolition of Slavery in the States, we would secure the Territories against the possibility of its encroachments, instead of wasting our strength in absurd and visionary schemes for preventing its extension, while conceding its Constitutional right to existence.

In doing this, we should have the satisfaction of striking, directly, at the root of the evil, instead of aiming random shafts at the branches; of laboring for our whole country, not for a particular section of it; for all the inhabitants, not for a select class of them.

In this, we should be fortified by the principles of impartial justice, and approved by the civilized world. We should be in harmony with nature, which teaches liberty; with the Scriptures, which condemn oppression; with the spirit of our fathers, who bled for freedom; with the genius of the age, which demands progress; with the literature of all nations, which is against slavery; with the first principles of government and law, which protect the equal rights of all men; with the divine purpose of human redemption, which includes all the families of the earth in its promised blessings.

In the prosecution of such a work, we should but be giving practical effect to the Declaration of Independence, and to the declared objects of the Constitution, conforming to the strict letter of its provisions, in obedience to its living spirit.

By the simple process of understanding the Constitution as it reads, by expounding it according to established legal rules, by giving to it the same construction in one latitude that we do in another, and by claiming for all "the people of the United States," alike, the benefits of its provisions, we should avoid the inconsistency of seeking to make it the ægis of liberty in one part of the nation, while consenting that it may be made the shield of slavery in another part; the inconsistency of maintaining that, while the Constitution secures the liberty of white men, and owners of plantations, it affords no equal protection to black men and laborers upon plantations. Nor should we be betrayed into the absurdity of holding that the "people of the United States," by whom the Constitution was "ordained and established," are entitled to none of its safeguards of personal freedom, while, in the same breath, we were loudly claiming the protection of those same beneficent provisions for the people of new Territories, beyond our original boundaries, and which have recently come into existence.

In laboring to persuade our fellow-citizens to occupy with us, this firm platform, our chief task must be to convince them that *political* acts are *moral* acts, that the *moral* world, (including the political world,) like the *natural* world, is governed by fixed laws, established by the Author of nature, laws from which He himself, in his righteous Providence, never swerves, laws from which He never permits individuals or communities to depart, without incurring the just penalties of transgression.

PRINCIPLES OF GOVERNMENT.

And among all these divine laws, there are none more universal and inexorable than that which binds Civil Society to protect the natural rights, the personal liberties, of each one of its unoffending subjects. By this law, God requires, and always has required of all nations, in all ages, and whatever may be their recognized forms and modes of Civil Government, that every man shall be restrained from violating the natural rights of every other man. It is upon this divine law that all civil law is founded, and it is from the same divine law that all civil governments derive their right and authority to govern. No human compacts, constitutions, statutes, or usages can supersede, nor modify, in the slightest degree, this divine law, which is the law of equity and justice, and must remain in force so long as human beings live together in society, and remain moral, accountable beings, as they now are. It is the *Law of Love*, affirmed in the Scriptures, as applied to the relations and responsibilities of communities and nations of men.

Civil Government, however organized, is the instrument of society, or of nations, for the exercise of this high function—the equal and impartial “protection of the natural rights of all men, taking none of them from them.”* In Scripture language it is to “execute justice between a man and his neighbor”—“to deliver him that is spoiled out of the hands of the oppressor.” This is the mission of Civil Government. This is the object, and this is the definition of civil law. All the great writers on Civil Government, from Moses and Justinian, down to Blackstone and Jefferson, have been occupied with statements of these elementary truths, which lie at the basis of all jurisprudence, of all legislation, of all that can properly be called the Science of Government, the Science of Politics, the Science of Law. The statesman or the jurist, the politician or the civilian, who ignores or tramples upon these principles, or who allows himself, under any exigencies, to depart from them, or to hold them in abeyance, in practice, is either too ignorant or too dishonest to be intrusted with the rights and interests of his fellows, by holding public stations. Whoever “for reasons of state” violates justice, or permits its violation, has no claim to the name of a statesman, and can do nothing for the State but to corrupt and destroy it.

Our fathers understood these principles, and therefore, in form-

* Jefferson.

ing their national Constitution, (as Mr. Madison testifies,) they would not permit it to contain language which could be construed to imply that man can hold property in man—that Slavery can, by any possibility, be made legal. The previous National Declaration that the right to liberty is inalienable, amounts to the same thing. For the right to liberty would *not* be inalienable, if Civil Government could legalize Slavery, or lawfully tolerate such a practice. To admit that Slavery can be made legal, would be to admit that lawlessness may become law, and that Civil Government can, lawfully, become an oppressor instead of a protector. To say this, would be to contradict and deny the first principles of the Science of Government, and the Science of Law. *Politics* is the Science of Government, of legislation, of law. So that the pretended politician is a quack, or an impostor, who believes that there can be valid law for Slavery, or who, from considerations of policy, allows himself to admit its legality. To clothe such a person with civil office, would be as great an absurdity as to make a man an engineer of a locomotive, who knew nothing of the rules of his profession, or who could be bribed to violate them.

NATIONAL RESPONSIBILITIES.

Wherever a national *existence* is to be recognized, there is to be recognized likewise, a corresponding national *responsibility*, and this responsibility must always, in the very nature of things, involve the national duty of securing the natural right to liberty, of each and every one of its innocent inhabitants. Throughout the Scriptures, God is represented as holding nations, as such, along with their rulers, responsible for all the oppression, violence, inequality, and injustice which the nation or its government either perpetrates or tolerates within its borders. Even under the despotic governments of Egypt, Tyre, and Assyria, God held the people responsible for the oppressions committed or tolerated by their national governments, and he visited them with retributive judgments, accordingly. Scripture history and prophecy are full of this truth. In His moral and providential government over all the nations of the earth, ancient and modern, God has uniformly pursued the same course. Universal history attests this. The equity of this feature of the divine administration is to be vindicated on the ground that civil society, everywhere, communities, states, and nations, are morally bound to protect the essential rights of each and every human being within their geographical

limits, (not merely as some say, "the greatest good of the greatest number,") that "for the security of these rights, governments are instituted among men"—that governments can not innocently be instituted for any purposes or under any constitution exclusive of this; and that no community, state, or nation can have a moral right to institute or to maintain any government not exercising these powers, or to support any civil rulers by whom these duties are not discharged. The evidences of this divine constitution of civil society are visible, not only on the pages of past history, but in the present condition of mankind. Communities everywhere enjoy the blessings of liberty, and the protection of law, in exact proportion to the fidelity with which they honor the principles upon which law and security are founded. And the general prevalence of insecurity, of oppression, and of the reign of despotism among the nations, is owing, mainly, to the fact that men disregard or trample upon those principles by the support of rulers who refuse or neglect to extend protection, security, and freedom to all classes of the people.

The notion that a "Constitution of the United States," or of any other nation, can be so framed and arranged that the National Government, by its constitutional limitations, can be restrained from discharging the duties devolving, in the nature of things, upon *all* civil governments, particularly upon all *national* governments, and that the national government, the nation, and the people of whom the nation is composed, can thereby and thus absolve themselves, or be absolved from the duty of "executing justice between a man and his neighbor," of "delivering him that is spoiled out of the hand of the oppressor," is a notion too impious to be received by any one who fears God, too servile to be endured by any one who values his own freedom, too disorganizing to be tolerated by any one who prizes social order, too absurd to be entertained by any one who has ever mastered the first rudiments of legal and political science, as recognized and enunciated by standard writers on civil government and civil law.

If the Federal Constitution does, in fact, contain any such impious, despotic, disorganizing, and absurd limitations, then it becomes a high moral duty and an imperious political necessity, more sacred and more authoritative than any parchments or compacts, to disregard and over-rule all those limitations, to obey our living God rather than our dead fathers, to protect our own liberties by securing the liberties of our enslaved brethren, to deliver the nation by delivering the oppressed, to establish a *free* government that will exclude *Slavery*, the opposite of freedom.

THE CONSTITUTION.

But there is no truth in the pretense that our National Government has no constitutional authority to "establish justice, and secure the blessings of liberty." The document itself, in its first paragraph, explicitly affirms itself to have been "ordained and established" by "the people of the United States," for that express object, which is stated without reservation or exception. To say that the *powers* of the Government created by the Constitution are not commensurate with the declared *objects* of the Constitution, is to make the Constitution a cheat, and the Government an abortion. If the Federal Government has no power to secure *these* objects, then it has no power to secure any of the *other* declared objects of the Constitution—no power to preserve "a more perfect Union, to insure domestic tranquillity, provide for the common defense, and promote the general welfare." And if it has no power to secure any one of these declared objects, then it has *no* power under the Constitution, at all. If the Federal Government has no power to secure the personal liberties of its subjects; then it has no claim on their allegiance; for allegiance is founded upon protection. If the Federal Government can not protect its subjects, it can not remain a government; for the very nature of government is protection, and the absence of power to protect the personal liberties of its subjects is the absence of power to protect any of the rest of their rights. If it can not protect them at home it can not protect them abroad. If it can not protect them from enslavement under authority of the States, then the States can undermine and uproot the National Government by chattelizing the mass of its citizens, reducing them to articles of merchandise.

The specific provisions of the Constitution secure its declared objects. They secure to the people the privileges of "the writ of Habeas Corpus," and provide that "no man shall be deprived of liberty without due process of law." They secure religious liberty, freedom of speech and of the press. And they restrict these securities to no favored class. They declare that "no State shall pass any bill of attainder, *ex post facto* law, or law impairing the obligations of contracts, or grant any title of nobility." They direct that "the United States *shall* guaranty to every State in this Union a Republican form of government"—a Republicanism defined by the preceding securities of freedom. And they commit to the Federal Government the administration of this Constitution, which is therein declared to be "the supreme law of the land," and

that "the Judges in each State shall be bound thereby, any thing in the constitution or laws of any State to the contrary notwithstanding."

The only pleas set up against the exercise of these Federal powers for the security of personal *freedom* are founded on supposed recognitions of *Slavery* in that instrument. The plea implies that such recognitions of *Slavery* would annul constitutional securities of freedom, and thus defeat the declared objects of "the people of the United States" in establishing the government.

To this plea we demur: **FIRST**, That by the established legal rules of expounding the Constitution, the clauses cited contain no recognitions of *Slavery*. **SECOND**, that such recognitions, if admitted, are to be admitted only as exceptions, confined strictly to their own specified limitations, leaving the declared objects and leading provisions of the Constitution in full force. That is to say, if the Constitution *did* provide (as it does not) for the rendition of fugitives from *Slavery*, and if it *did* provide for a *misrepresentation* of three fifths of them in Congress, those ambiguous, anomalous, and exceptional clauses could not annul those clear and explicit provisions in favor of the security of personal liberty, which, if carried out, would abolish *Slavery*. The general rule, the declared object, could not be superseded and annulled by the exception. The plea under consideration begins under the pretext of a "compromise," but ends with the permanent establishment of *Slavery*, and the consequent subversion of freedom—a "compromise" in which freedom loses all and gains nothing! Thus arrogant and unfounded are the pleas under consideration.

DUTIES—ALTERNATIVES—NECESSITIES.

But no possible views of the Constitution can relieve the nation and the National Government from the natural duty, the moral obligation, the political necessity, of abolishing American *Slavery*. If the Constitution be adequate, as we have shown, for the national abolition of *Slavery*, then there is no excuse for the neglect of the Government and the people to exercise, in that direction, and for that object, those constitutional powers. But if the Constitution be defective in that particular, then the fault lies with the nation, with the people of whom the nation is composed. They had no moral or political right to establish such a defective government. Its defects, fancied or real, can not absolve them from the original and irrepealable obligations of our common nature, of our common social humanity, which no compacts can annul. If we have, our-

selves, entered into a wicked compact, our first duty is to repent of the sin, and bring forth fruits meet for repentance, by repudiating its pretended obligations, and performing the duty we had promised to refrain from performing. If our fathers made a wicked compact, they could neither bind themselves nor their children to fulfil it. Unlawful compacts are never binding, nor can they be, so long as *law* retains its authority. No plighted faith to the slaveholders can absolve us from the discharge of known duty. The Slaveholders have violated the Missouri Compromise, which they boasted of having forced upon us under a threat of dissolving the Union. They now say that the Compromise was unconstitutional. Be it so. It was unconstitutional, because it was a compromise between Slavery and Freedom, for which the Constitution makes no provision—a compromise with crime, which is itself criminal. "The compromises of the Constitution" (even if there were any) could no longer be urged upon us by the Slaveholders, who will abide by no compromises.

The nation and its Government are bound to abolish Slavery, because the nation and its government are involved in the guilt of its long-continued existence, extension, and protection. The nation and the National Government have shaped the national policy, and prostituted the national diplomacy for this end. If the Constitution sanctions this, the nation is guilty for having adopted and supported it. If the Constitution does *not* sanction it, the nation is guilty of protecting and extending Slavery *without* its sanction, and against its declared ends. In either case, the national guilt of protecting and extending Slavery remains.

And that guilt would not be washed away by a dissolution of the Union, leaving the slaves in their chains. The nation has no right to disband without liberating them. As the *whole* nation is responsible for Slavery, so the *whole* nation, and every part of it, is bound to put an end to the system. The Declaration of Independence contained the solemn promise of THE NATION to establish a government that should secure the inalienable rights of all men in the nation, to "life, liberty, and the pursuit of happiness." "The representatives of the United States of America, in general Congress assembled, appealed to the Supreme Judge of the World for the rectitude of their intentions" in making this declaration. No earthly power can absolve *the Nation*, nor any portion of it, from this promise. No plea that THE STATES ought to abolish Slavery, however truthful, can release *the Nation* from this national promise. No amount of "moral suasion," either by individuals or by

the Nation, entreating the slave-masters to emancipate their slaves, can release the *Nation* from this promise. Both by solemn promise and by original natural obligation, *the Nation* is bound to "execute justice," to "proclaim liberty throughout the land unto all the inhabitants thereof." This *National* duty must be discharged, or *the Nation* can not be saved. The SLAVEHOLDER that repents of his oppression will indeed be forgiven. The *State* that repents of its support of Slavery may be forgiven. But neither the repentance of the Slaveholder nor of the State can avail for the *Nation*, if the Nation refuses to repent and put away the sin. All the Slaveholders and all the Slave States might repent and be forgiven, but if the people of the Northern States, who have so long sustained Slavery, would have a share in that forgiveness, *they*, too, must have a share in the repentance, and in the putting away of the sin, in which *they* also have been involved. National repentance and National amendment constitute the only remedy for National sins and their effects.

The responsibilities, the duties, the delinquencies, the repentance, the amendment, and the preservation of Nations and National Governments, are closely connected together, if, indeed, there be any distinction between them. The Republican theory regards the people as sovereign, and the rulers elected by them as their representatives and servants. This theory is correct, if it be added thereto, that the Creator is supreme over communities and their governments, that Rulers must not neglect the administration of justice to please their constituents, and that the sovereignty of the People, like the authority of Rulers, is valid for the protection of rights, but not for the violation of them.

The wickedness of the Government, or of the Administration, or of the Statesman, becomes the wickedness of the people—of the voters who elect and cordially sustain them. It is idle for the people, the voters, to complain of the Government, of the Administration, of the President, of the Member of Congress, for their servility to the Slaveholders, and their support of Slavery, so long as they themselves continue to vote for candidates who are known to disclaim the design of interfering with Slavery in the Slave States. *Not* to interfere with it is to afford it national protection, and that national protection is our great national sin, for which the voice of God, in Nature, in Scripture, and in Providence, calls loudly upon the Government, the Nation, the people, and the voting citizen who consents with them, to repent. If it be sinful in the Administration, the President, and the Members of Congress

and the Judiciary, to neglect or postpone the duty of abolishing American Slavery, then it is sinful in the voting citizen to join with them in such a course. And they do thus join with and sustain them whenever they vote for candidates for those offices who are not to be relied upon to pursue an opposite course. If considerations of supposed utility, expediency, and public advantage may justify the citizen in voting for such candidates, thus voting for the continued National support of Slavery, then the same, or similar considerations, may justify the President, the Congress, and the Judiciary in *their* continuance of the National support of Slavery. Yet scores of thousands of such voters are loud in their condemnation of "compromises with Slavery," little thinking that such compromises are involved in their own votes. They cry out against "dough-faces," without reflecting that their own votes lie at the bottom of the mischief, that if they continue their present course, and if all other voters follow their example, the National Abolition of Slavery can never take place, because the Government can never come into the hands of those who would abolish it.

Whatever of guilt is involved in slaveholding, and whatever may be the accumulated guilt of all the slaveholding in the nation, that entire weight of guilt rests, most indisputably, upon the Nation and the National Government that afford it protection, by tolerating its existence. If this be not true, then there is no use nor significance in charging upon any nation or national government the guilt of upholding or permitting oppression.

And whatever of guilt rests on the nation or on the Government in respect to the tolerance of the Slave System, most indisputably rests upon each citizen who votes for a continuance of the present condition of things, by voting for such candidates for Federal offices as he has reason to believe will not exert their powers for a national abolition of Slavery. If this be not true, we may as well dismiss all ideas of the moral responsibility of citizens in respect to their choice of civil rulers. National responsibilities are the personal responsibilities of the individuals of whom the nation is composed, and these responsibilities are not frittered away by subdivision among the millions of voters. The entire guilt that rests upon all rests upon each one who, by his vote, participates in it. And the guilt of each one of them is multiplied by the numbers of all the rest whose sin is approved and indorsed by his example. So that political responsibilities are among the most weighty that can be sustained by human beings, and they involve the most extensive and enduring results.

TEMPTATIONS AND SAFEGUARDS.

But the weight of these responsibilities appears to be but little regarded, especially at those times when the people, collectively and individually, are called upon to the discharge of the duties indicated by them. Congressional, and especially Presidential elections, presenting, as they do, the proper occasions for the discharge of our national duties respecting the abolition of slavery, are, notoriously, the very seasons in which all moral considerations on that subject lose their hold on the great majority even of those who, at other times, appear to be most deeply affected by them; but who then suffer them to be overborne by considerations of expediency, diverted by deceptive compromises, or swept away by those gales of excitement which artful politicians always know how to stimulate and use on such occasions, for their own ends. The dread of standing alone, the reproach of being fanatical, the impulse to go with the multitude, the vague, delusive hope of accomplishing a little by choosing the least of two evils, these are among the influences that prevent even professed Abolitionists from voting for the national abolition of Slavery. And nothing can be more certain than that the national abolition of Slavery can never take place, until these untoward influences are effectually counteracted, these habits and practices broken up and abandoned. Just as certainly as drunkenness must prevail and increase unless sober citizens abandon the common use of intoxicating liquors, just so certainly the nation can never prevent the continuance and increase of Slavery, so long as the mass of moral and religious citizens continue to vote for candidates for national offices who are not known to be heartily devoted to the measure of national abolition. Why, then, should not the same preventive measures be applied to the latter evil as to the former? If the pledge of total abstinence from the intoxicating drafts of alcohol was found a necessary auxiliary in the cause of Temperance, why should not the pledge of total abstinence from the intoxication of pro-slavery politics be equally necessary to the cause of freedom? Confining our attention, for the present, to National politics, we propose the following

ABOLITION PLEDGE.

"We, the undersigned, believing in the wickedness, illegality, and unconstitutionality of American Slavery, and in the duty of the American people and Government to abolish it, do hereby pledge

ourselves, that, until Slavery shall be abolished in this land, we will not vote for any candidate for Congress, or the Presidency, or the Vice-Presidency, who is not publicly known to be in favor of the Abolition of Slavery by the action of the American people and Government."

ITS USES.

The circulation of this pledge, in any locality, would afford the best of facilities for conversation, and the diffusion of important truths. Presented as a definite question of personal duty, it would acquire fresh interest. Every one to whom the pledge is presented, will be led to inquire, whether he, himself, has a duty to perform, and what that duty is. Such a movement would give *definiteness* to the enterprise of abolition. Every *other* instrumentality and influence would be seen as converging towards this. "Moral suasion," religious influences, the pulpit, ecclesiastical action, delineations of slavery and of its blighting effects, all these would be seen to have meaning and practical value when regarded as means to an important end, THE NATIONAL ABOLITION OF SLAVERY. And it will be seen that no amount or variety of influences will have produced their proper effect, any farther than as they shall have enlisted the *voters of America in the one great work of abolishing Slavery in America*. Every thing else is but preliminary and auxiliary to this. All else is *talk*, which, if it goes no farther, is *mere talk*. THIS IS ACTION. Talk is good, in its place, as a means of producing action. After a talk of twenty-three or twenty-four years, it is time for action, or at least for enlistments and preparations for action.

The number of pledged voters in neighborhoods, villages, townships, cities, counties, and States, will help, from time to time, to mark progress. One hundred thousand signers to the pledge would revolutionize or supersede the Republican party, and there are probably thrice that number who profess to be, *in principle*, with us. We ask them to be with their principles, *in practice*. Five hundred thousand signatures to the Abolition pledge, would settle, prospectively and speedily, the question of American Slavery. Politicians, now sitting in darkness, would soon see great light. Constitutional difficulties would vanish. And Slaveholders would themselves hasten to get rid of the system.

A NATIONAL ABOLITION PARTY.

A national abolition of Slavery calls for a National party, a party supported at the North and at the South. The petty

oligarchy has well-nigh throttled the Nation. Assuming to be, themselves, "the South," they have managed to control the North. The inquiry has been started, and is still debated: Whether there be any North? One hundred thousand pledged abolition voters, at the North would solve that question. And the solution would lead to the discovery that there is also a South. Comparing the census with the late election returns,* it appears that not more than one third, probably not more than one fifth, of the Southern voters are Slaveholders. The great majority are *non-slaveholders*. *These* will soon show themselves to be "the South," when it is once discovered by them that there is a North, and that the North is ready to unite with them for a National deliverance. "*Our glorious Union*" may thus be secured and perpetuated. *A National deliverance from Slavery must be its object and its basis*. A Northern rally for Northern interests can not develop it. Mere, "non-extension" can interest few Southerners, except those who seek to emigrate. Least of all would a separation from the free North be desired by Southern abolitionists. The spirit of general liberty can be developed only by a *National Abolition Party* strongly sustained by "the North" and "the South." By such a movement, the reproach of "Sectionalism" would be transferred to its proper place.

Such, then, is a hasty outline of the course we would have the friends of liberty, in this country, pursue. This is our proposed substitute for the timid policy and vacillating tactics of the Republican party, in the STRUGGLE OF EIGHTEEN HUNDRED FIFTY-SIX. This is our advice to Republicans. This is our advice to Free-Soilers. This is our programme for Abolitionists. *This is our proposal to our fellow-citizens, our countrymen. We invite you, one and all, Northern men and Southern men, to a grand united rally for NATIONAL DELIVERANCE BY A NATIONAL ABOLITION OF SLAVERY.

Dismissing useless regrets for the past, let us look hopefully to the future. We say not that the Republican movement has accomplished nothing. It was *something* to have thoroughly

* Presidential votes cast in the Slave States, in 1856,	1,137,723
Slaveholders, by census of 1850, including women and minors, who	
do not vote,	347,525
Leaves, non-slaveholding votes,	790,198

In the census, persons holding slaves in several counties, were several times counted. Deducting these, and women and minors, the *real* number of slaveholding voters would probably not exceed 200,000. Non-slaveholding, 937,723.

alarmed the oligarchy of slaveholders. But it is instructive to notice the *cause* of that alarm. The President's Message, and a month's debate upon it, in both Houses, have revealed the cause. Republicans were suspected of having contemplated a National Abolition of Slavery. This, and nothing else, caused the alarm. Instead of laboring to appease it, by disclaimers, as has been attempted in Congress, let all who hate slavery and love freedom, unite, openly and boldly, for the defense of the latter, by the abolition of the former.

NOTE.

Near the beginning of this Review, some statements were made concerning the course of Gov. Geary, in Kansas. It is proper to say that his subsequent course, (while our printing has lingered,) has been less obnoxious, and in some particulars, quite satisfactory, to the friends of freedom and good order. Some evidence of this is afforded by the complaints of Border Ruffians against him. Through his influence Judge Lecompte has been removed, and some degree of protection has been afforded to the free settlers. The Administration, too, has relaxed its rigors. Since the election, the Democratic party has been in no immediate necessity for securing Southern votes, and now seeks to regain Northern favor. The panic created by the strong vote of a party suspected of latent abolitionism has had a salutary effect, while the thrift and prospective increase of free settlers, has held in check the Southern invasion. "*Hope on! Hope ever!*"